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4 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
5
6 YOLO COUNTY

7 MARK BAKER,

8 Plaintiff,

9 vs.

10 CITY OF WOODLAND,

11 Defendant.

Case No.: CV2025-3624

COMPLAINT PURSUANT TO:

1. THE AMERICANS WITH DISABILITIES ACT 42 U.S.C. §§ 12101 ET SEQ.;
2. THE DISABLED PERSONS ACT, CALIFORNIA CIVIL CODE § 54
3. PRIVATE ATTORNEY GENERAL DOCTRINE, CODE OF CIVIL PROCEDURE § 1021.5
4. DECLARATORY RELIEF (C.C.P. § 1060)
5. CAL. CODE. CIV. PROC. § 1085

CIVIL UNLIMITED.

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18
19
20
21
22
23

1 **Table of Contents**

2 I. INTRODUCTION5

3 II. PARTIES6

4 III. JURISDICTION AND VENUE.....6

5 IV. STATEMENT OF FACTS.....7

6 A. Qualified ADA Disability7

7 B. The Discriminatory Barrier8

8 C. The Nature of Emergency Vehicle LED Lights9

9 D. Audible Warning Devices10

10 E. Federal Safety Law Violation (Auxiliary Flashing Lights)11

11 F. Request for Reasonable Accommodation11

12 G. First Denial: Procedurally Deficient.....13

13 H. Inadequate Proposed Accommodation16

14 I. Request for Investigation16

15 J. Second Denial: Substantively Deficient17

16 V. LEGAL STANDARD18

17 A. Americans with Disabilities Act, Title II19

18 B. California Disabled Persons Act.....20

19 C. Federal Motor Vehicle Safety Standard Prohibiting Auxiliary Flashing Lamps21

20 D. Burden of Proof for Fundamental Alteration and Undue Burden Defenses23

21 VI. FIRST CAUSE OF ACTION.....24

22 Violations of Title II of the ADA (42 U.S.C. §§ 12131-12134)24

23 VII. SECOND CAUSE OF ACTION27

1	Violations of the Disabled Persons Act (Cal. Civ. Code § 54)	27
2	VIII. THIRD CAUSE OF ACTION.....	27
3	Declaratory Relief (C.C.P. § 1060).....	27
4	IX. FOURTH CAUSE OF ACTION.....	28
5	Writ of Mandate (C.C.P. § 1085).....	28
6	X. RELIEF REQUESTED	29

7

8 **Table of Authorities**

9

10 **Statutes**

11	28 U.S.C. § 1331	7
12	28 U.S.C. § 2201	7
13	28 U.S.C. § 2202	7
14	42 U.S.C. § 12131	5
15	42 U.S.C. § 12131(1).....	6, 19, 24
16	42 U.S.C. § 12132	19, 25
17	42 U.S.C. § 12133	7, 26
18	42 U.S.C. § 12205	26
19	Cal. Civ. Code § 54	5, 7, 29
20	Cal. Veh. Code § 21055.....	10, 25
21	Cal. Veh. Code § 25252.....	14, 22
22	Cal. Veh. Code § 27002(a)	10, 25
23	Cal. Veh. Code § 27002(b).....	10
	California Disabled Persons Act (DPA)	5
	Code Civ. Proc. § 1021.5.....	29
	Code Civ. Proc. § 2016.010.....	5
	Code. Civ. Proc. § 1085.....	29

1 Title II of the Americans with Disabilities Act (ADA)5, 6, 29

2 **Regulations**

3 28 C.F.R. § 35.130(b)(7) 19, 25

4 28 C.F.R. § 35.160..... 19

5 28 C.F.R. § 35.160(a)29

6 28 C.F.R. § 35.160(a)(1)..... 11, 19, 25

7 28 C.F.R. § 35.164..... passim

8 28 C.F.R. Part 35 - Subpart E - Communications..... 12, 29

9 49 C.F.R. § 571.108(S6.2.1)..... 15, 21, 22, 23

10 Cal. Code Regs. Tit. 13 § 1028.....10

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1 **I. INTRODUCTION**

2 This Complaint seeks injunctive relief, declaratory relief, and statutory damages
3 against Defendant City of Woodland (Woodland) for its violations of Title II of the
4 Americans with Disabilities Act (ADA) and the California Disabled Persons Act (DPA).
5 These violations stem from Woodland's operation of emergency vehicles equipped with
6 excessive, high-intensity LED flashing lights and sirens that create unavoidable
7 discriminatory barriers, denying Plaintiff, an individual with autism spectrum disorder and
8 photophobia, equal access to public streets and sidewalks and effective communication
9 with municipal services.

10 Although Woodland's City Manager ultimately responded to Plaintiff's Request for
11 Investigation on December 5, 2025, curing the initial procedural deficiency regarding the
12 proper decision-maker, the City's denial of Plaintiff's reasonable accommodation request
13 remains substantively deficient. The City has failed to provide the detailed written analysis
14 and supporting evidence required under 28 C.F.R. § 35.164, has failed to meet its burden of
15 proving that the requested modifications would fundamentally alter emergency response
16 services or impose an undue burden, and has failed to provide any effective
17 accommodation that would ensure Plaintiff receives the benefits of public services "to the
18 maximum extent possible" as required by federal regulation.

19 This Complaint primarily seeks redress for violations of Petitioner's Federal and
20 State Civil Rights under the Americans with Disabilities Act (ADA), 42 U.S.C. § 12131 et
21 seq., and the Disabled Persons Act, Cal. Civil Code § 54 et seq. These discrimination
22 claims constitute the primary action in controversy and are governed by the California Civil
23 Discovery Act (Code of Civil Procedure § 2016.010 et seq.) and the full Federal Rules of

1 Civil Procedure (if applicable). The Writ of Mandate, set forth as the Fourth Cause of
2 Action, is a remedial and subsidiary claim designed to compel the City to cure an ongoing,
3 unconstitutional discriminatory practice. The resolution of this matter will enforce an
4 important public right affecting the safety and welfare of a large class of persons, consistent
5 with the goals of the Private Attorney General Doctrine.

6 The Court should declare Woodland's denial substantively deficient, order
7 Woodland to implement reasonable modifications to its emergency vehicle lighting and
8 siren systems, issue a Writ of Mandate directing Woodland to establish a safe limit for
9 flashing light intensity, and award statutory and compensatory damages for Woodland's
10 ongoing violations of Plaintiff's civil rights.

11 **II. PARTIES**

12 Plaintiff MARK BAKER is an individual with qualified disabilities under the ADA,
13 including autism spectrum disorder and photophobia. Plaintiff is the Founder and President
14 of the Soft Lights Foundation, a registered 501(c)(3) non-profit corporation dedicated to
15 protecting individuals and the environment from the harms of LED lights. Plaintiff resides
16 in Yolo County, California.

17 Defendant CITY OF WOODLAND is a municipal corporation and public entity
18 within the meaning of 42 U.S.C. § 12131(1), operating within Yolo County, California.
19 Woodland owns and operates emergency and utility vehicles and provides public services,
20 programs, and activities, including emergency response services and public streets and
21 sidewalks, that are subject to Title II of the ADA.

22 **III. JURISDICTION AND VENUE**

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2 **B. The Discriminatory Barrier**

3 On September 18, 2025, at approximately midday, Plaintiff was driving eastbound
4 on Main Street in Woodland, California, when Plaintiff was suddenly and without warning
5 struck by dozens of intense red LED flashing lights and extraordinarily loud sirens from
6 two Woodland Fire Department fire trucks.

7 The intensity and digital pulsing characteristics of the LED flashing lights,
8 combined with the extreme volume of the sirens, caused Plaintiff to experience immediate
9 incapacitation. Plaintiff was forced to close both eyes as tightly as possible, insert both
10 fingers into ears to block the sound, and apply the vehicle brakes to stop in the middle of
11 the roadway to ensure his safety and the safety of others.

12 Plaintiff's heart rate increased dramatically, panic set in, and Plaintiff feared for his
13 life. The sensory assault rendered Plaintiff unable to see, think, concentrate.

14 After the fire trucks passed, Plaintiff pulled into a parking lot in an attempt to
15 recover. The psychological trauma from this event persisted for hours following the
16 encounter.

17 On December 6, 2025, while Plaintiff was a pedestrian at the intersection of Main
18 Street and West Street in Woodland, a Woodland fire truck's sirens sounded and the
19 vehicle's excessive, multi-strobe red LED lighting caused Plaintiff to suffer another acute,
20 disabling reaction resulting in eye pain and emotional trauma.

21 These incidents demonstrate that Woodland's current emergency vehicle lighting
22 and siren system creates a severe visual and auditory public safety barrier that denies
23 Plaintiff equal access to and use of public streets and sidewalks.

1
2 **C. The Nature of Emergency Vehicle LED Lights**

3 A Light Emitting Diode (LED) is a device that emits visible light radiation. LED
4 lights are fundamentally different from traditional incandescent lighting. The U.S.
5 Department of Energy recognizes that LEDs are a "radically new technology" that emit
6 "directional" light with "unique characteristics."

7 It is the directionality, small size, and digital nature of LEDs, along with other
8 unique characteristics, that make LED devices unsafe for certain individuals with
9 disabilities.

10 Modern emergency vehicle LED warning lights can emit luminance levels
11 exceeding 100,000 candelas per square meter (cd/m²), far beyond the 20 cd/m² threshold
12 identified in peer-reviewed research as the maximum safe flash brightness to avoid
13 triggering seizures, migraines, and other adverse neurological responses in individuals with
14 photosensitive conditions.

15 The "digital on/off" characteristic of LED lights—wherein the light switches
16 instantaneously between full brightness and complete darkness—creates a more severe
17 neurological impact than traditional incandescent bulbs, which have a "glow" characteristic
18 as filaments heat and cool.

19 Research has established that high-intensity flashing lights create hazardous
20 responses in the central nervous system, impair driver perception and behavior, and can
21 cause visual cortical distortions. Plaintiff provided Woodland with peer-reviewed research
22 studies documenting these hazards as part of Plaintiff's accommodation request. (EXHIBIT
23 A, Apdx. A.)

1

2 **D. Audible Warning Devices**

3 The City of Woodland's emergency vehicles are equipped with sirens that emit
4 sounds at excessively high and injurious decibel levels. California Vehicle Code (CVC) §
5 27002(a) mandates that an authorized emergency vehicle "shall be equipped with a siren,"
6 but this command pertains only to equipment installation, not the mandatory activation of
7 the siren.

8 If the City elects to use a siren, that device must meet the high-volume performance
9 standards established in Title 13, California Code of Regulations, § 1028. This regulatory
10 requirement forces the siren's output to levels routinely exceeding 120-124 decibels (dB) at
11 close range, which is proven to cause pain, sensory overload, and hearing damage,
12 constituting an unlawful barrier to disabled persons.

13 Crucially, the statute governing the use of emergency privileges, CVC § 21055,
14 does not mandate siren use. It only permits the driver to operate "a siren as may be
15 reasonably necessary" to warn others. The section then strictly prohibits unwarranted use:
16 "A siren shall not be sounded by an authorized emergency vehicle except when required
17 under this section." This language creates a legal presumption against sounding the siren
18 unless the driver determines it is the "reasonably necessary" form of warning. Furthermore,
19 CVC § 27002(b) confirms the availability of discretionary alternatives by authorizing an
20 emergency vehicle to "also be equipped with a Hi-Lo audible warning sound."

21 Therefore, there is no conflict between federal ADA law and the state DPA law
22 which require full and equal access to streets and sidewalks, and the CVC. The installation
23 of high-intensity sirens is mandatory, but the operation of sirens is optional and lower-

1 volume alternatives such as bells or directional beepers may be used to ensure that
2 communication via sound is just as effective with individuals with disabilities as with
3 others.

4 5 **E. Federal Safety Law Violation (Auxiliary Flashing Lights)**

6 The City of Woodland's emergency vehicles are equipped with numerous auxiliary
7 vehicle flashing lights that violate federal motor vehicle safety standards. These devices,
8 which are non-required equipment, utilize high-intensity Light Emitting Diodes (LEDs)
9 that flash rapidly, making them non-steady-burning. The installation and operation of non-
10 steady-burning auxiliary lights are expressly prohibited by 49 C.F.R. § 571.108(S6.2.1)
11 because they are widely recognized by the National Highway Traffic Safety Administration
12 (NHTSA) as impairing the effectiveness of federally required signal lamps by unduly
13 diverting attention and causing confusion among drivers. The City's deployment of this
14 non-compliant, illegal equipment creates a known, unreasonable, and hazardous condition
15 that directly supports Plaintiff's claim that the system acts as a discriminatory barrier and
16 denies equal access to public streets and sidewalks.

17 18 **F. Request for Reasonable Accommodation**

19 On September 20, 2025, Plaintiff submitted a written request for reasonable
20 accommodation to Richard Perry, identified as Woodland's ADA Coordinator, pursuant to
21 28 C.F.R. § 35.160(a)(1). (EXHIBIT A.)

22 Plaintiff's request specifically sought modifications to Woodland's policies,
23 practices, and procedures regarding emergency vehicle warning lights and sirens to ensure

1 that communications via these systems would be "as effective" with Plaintiff as with
2 individuals without disabilities.

3 The requested modifications included: (a) setting an upper limit on the intensity of
4 flashing lights; (b) setting an upper limit on the number of flashing lights per vehicle; (c)
5 prohibiting the use of digital on/off flashing lights; and (d) setting an upper limit on the
6 intensity of sirens.

7 Plaintiff explained that the stated purpose of auxiliary vehicle flashing lights and
8 sirens on emergency vehicles is for communicating with the public. The various colors of
9 the flashing lights have different meanings, and the purpose of the sirens is to communicate
10 the presence of the emergency vehicles. Therefore, because the flashing lights and sirens
11 are for the purpose of communication, the applicable ADA regulation is 28 C.F.R. Part 35 -
12 Subpart E - Communications.

13 Plaintiff documented that the LED flashing lights are too intense, there are too
14 many of them, the digital on/off characteristic is overwhelming, and the volume of the
15 sirens is incapacitating for Plaintiff as an individual with the qualified ADA disability of
16 autism spectrum disorder. Because of the extreme intensity of the light and sound,
17 Woodland's communications via the fire trucks are not as effective with Plaintiff as the
18 communications are with individuals without disabilities because the flashing lights and
19 sirens severely impair Plaintiff's ability to see, think, and concentrate.

20 Plaintiff's request was supported by: (a) detailed incident reports; (b) peer-reviewed
21 research studies on the hazards of high-intensity flashing lights; (c) FDA incident reports
22 documenting Plaintiff's adverse reactions; and (d) an ADA Communications Checklist to
23 assist the City in evaluating the request.

1 Plaintiff specifically cited 28 C.F.R. § 35.164 and requested that, if the City denied
2 the accommodation request on grounds of "fundamental alteration" or "undue burden," the
3 City must provide a written statement detailing the reasons for denial, including references
4 to health and safety studies relied upon and specific cost analyses.

6 **G. First Denial: Procedurally Deficient**

7 On October 21, 2025, Plaintiff received a denial letter signed by Lauryn Wiens,
8 identified as "Management Analyst, ADA Coordinator" for the City of Woodland.

9 (EXHIBIT B.)

10 The denial asserted two primary defenses: (a) that the requested modifications
11 would "fundamentally alter the nature of the service, program or activity"; and (b) that the
12 modifications would "impose an undue financial and administrative burden."

13 However, the initial denial failed to comply with the mandatory procedural
14 requirements of 28 C.F.R. § 35.164, which states: "The decision that compliance would
15 result in such alteration or burdens must be made by the head of the public entity or his or
16 her designee after considering all resources available for use in the funding and operation
17 of the service, program, or activity and must be accompanied by a written statement of the
18 reasons for reaching that conclusion."

19 The initial denial was not made by the "head of the public entity" (the City Manager
20 or City Council) nor did it demonstrate that Lauryn Wiens was properly designated to make
21 such dispositive findings under 28 C.F.R. § 35.164.

22 Additionally, the initial denial failed to provide the detailed written statement of
23 reasons required by regulation. The denial provided no specific evidence, including: (a) no

1 health and safety studies supporting current light intensity levels; (b) no technical
2 specifications demonstrating why intensity cannot be reduced; (c) no cost analysis showing
3 actual re-engineering expenses; (d) no consideration of less costly alternatives such as
4 reducing the number of active lights or using lower-intensity settings during non-
5 emergency transit; and (e) no analysis of "all resources available" to the City as required by
6 regulation.

7 The denial's reliance on California Vehicle Code requirements is misplaced. The
8 Vehicle Code establishes **minimum** standards (e.g., "at least one steady burning red
9 warning lamp visible from at least 1,000 feet to the front of the vehicle" under Veh. Code §
10 25252) but does not require municipalities to use lights at **maximum** intensity levels or
11 prohibit municipalities from using lower intensities that still meet visibility requirements.

12 Similarly, the Vehicle Code does not require that all auxiliary lights be activated
13 simultaneously. Woodland could reduce the number of active lights while maintaining
14 compliance with statutory minimums.

15 The denial's reference to National Fire Protection Association (NFPA) standards is
16 similarly flawed. First, NFPA standards are voluntary best practices developed by a private
17 organization, not mandatory legal requirements, and do not override ADA accommodation
18 obligations. Second, the NFPA standards describe a minimum luminous intensity (candela-
19 seconds per minute), but do not define a maximum luminance (candela per square meter).
20 In reference to the NFPA Standard 1900, the flashing light manufacturer Federal Signal
21 states, "Today's LED technology produces much more intense lighting that greatly exceeds
22 the old minimum standard." (EXHIBIT C, p. 4.) It is precisely this lack of maximum
23 luminance standards that cause Woodland's fire truck flashing lights to violate the

1 Americans with Disabilities Act, California Disabled Persons Act, and federal motor
2 vehicle safety standard 49 C.F.R. § 571.108(S6.2.1).

3 The International Guidelines for Photosensitive Epilepsy: Gap Analysis and
4 Recommendations published by the Association for Computing Machinery, establishes a
5 20 candela per square meter as the threshold upper limit for changes in intensity of flashing
6 lights to reduce risk of injury to individuals with photosensitive epilepsy. Woodland's
7 claim that they follow NFPA guidelines for minimum intensity levels but follow no
8 guidelines for maximum intensity levels places Woodland in an untenable legal position.

9 The denial asserted that "replacement or re-engineering of the City's state-of-the-art
10 vehicle equipment as an accommodation for your disability would pose an undue financial
11 and administrative burden." However, this assertion conflates the total cost of the vehicle
12 with the cost of the requested modification.

13 The fact that Woodland purchased expensive fire trucks does not establish that
14 reducing light intensity or deactivating certain auxiliary lights would be costly. Woodland
15 provided no evidence that dimming lights or using operational protocols to limit the
16 number of active lights would require any re-engineering at all, let alone costly re-
17 engineering.

18 Woodland failed to consider zero-cost or low-cost alternatives such as: (a)
19 operational protocols to reduce the number of simultaneously active lights; (b) using lower-
20 intensity settings already available on existing equipment; (c) deactivating auxiliary
21 lighting during non-emergency transit through the city; or (d) using steady-burning lights
22 rather than strobing lights.
23

1 **H. Inadequate Proposed Accommodation**

2 The only accommodation offered by Woodland was to provide Plaintiff with "a
3 map indicating the location of fire and police stations, and other sites such as medical
4 centers where emergency vehicles typically originate from or travel to," allowing Plaintiff
5 to "take alternative routes while driving."

6 This proposed accommodation is fundamentally ineffective because: (a) emergency
7 vehicles travel on all public streets throughout the city, making complete avoidance
8 impossible; (b) Woodland itself acknowledged that "the City cannot guarantee that you will
9 never encounter emergency vehicles with activated warning lamps and sirens"; (c)
10 emergency responses are unpredictable and cannot be mapped in advance; and (d) the
11 accommodation fails to address Plaintiff's right as a pedestrian to safely use public
12 sidewalks and streets.

13 As demonstrated by the December 6, 2025, incident, Plaintiff cannot avoid
14 Woodland's discriminatory barrier even when walking as a pedestrian at an intersection. A
15 map of fire stations is irrelevant to this scenario.

16 The proposed map accommodation fails the ADA's requirement that public entities
17 take action to "ensure that, to the **maximum** extent possible, individuals with disabilities
18 receive the benefits or services provided by the public entity." 28 C.F.R. § 35.164.

19
20 **I. Request for Investigation**

21 On November 6, 2025, Plaintiff submitted a formal Request for Investigation to the
22 Woodland City Council, identifying the procedural deficiencies in the October 21, 2025,
23

1 denial and requesting that the City Council investigate the matter, vacate the deficient
2 denial, and mandate proper compliance with 28 C.F.R. § 35.164. (EXHIBIT D.)

3
4 **J. Second Denial: Substantively Deficient**

5 On December 5, 2025, Plaintiff received a response from Ken Hiatt, City Manager
6 of Woodland. (EXHIBIT E.) While this response cured the procedural deficiency regarding
7 the proper decision-maker under 28 C.F.R. § 35.164, the City's denial remains
8 substantively deficient.

9 The City Manager's denial failed to provide the detailed written statement of
10 reasons required by regulation. Despite being the proper decision-maker, the City Manager
11 offered only conclusory assertions without the specific evidence required to meet the City's
12 burden of proof under 28 C.F.R. § 35.164.

13 Specifically, the City Manager's denial failed to provide: (a) health and safety
14 studies supporting current light intensity levels and demonstrating why lower intensities
15 would compromise safety; (b) technical specifications explaining why intensity cannot be
16 reduced while maintaining Vehicle Code compliance; (c) cost analysis showing actual
17 expenses for any proposed modifications; (d) consideration of low-cost or zero-cost
18 alternatives such as reducing the number of simultaneously active lights or using
19 operational protocols to limit light intensity during non-emergency situations; and (e)
20 meaningful analysis of "all resources available" to the City as required by 28 C.F.R. §
21 35.164.

22 The City Manager's denial continues to rely on the flawed arguments presented in
23 the initial denial, including: (a) mischaracterizing Vehicle Code requirements as mandating

1 maximum intensity rather than minimum standards; (b) treating voluntary NFPA standards
2 as mandatory legal requirements; (c) conflating the total cost of emergency vehicles with
3 the cost of the specific requested modifications; and (d) failing to demonstrate that reducing
4 light intensity from extreme levels (100,000+ cd/m²) to safer levels (20-40 cd/m²) would
5 impair emergency response effectiveness.

6 The City Manager's denial perpetuates the inadequate "map" accommodation
7 without addressing why this accommodation fails to provide Plaintiff with equal access "to
8 the maximum extent possible" as required by 28 C.F.R. § 35.164. The City acknowledges
9 the map cannot guarantee Plaintiff will avoid emergency vehicles yet offers no alternative
10 accommodation.

11 Most critically, the City has failed to produce any evidence demonstrating that the
12 requested modifications would actually compromise public safety or fundamentally alter
13 emergency response services. The City simply asserts these conclusions without supporting
14 documentation.

15 On December 6, 2025, following the December 6, 2025 pedestrian incident and
16 receipt of the City Manager's final denial, Plaintiff provided formal notice of intent to file
17 this discrimination lawsuit. (EXHIBIT F.)

18 On September 20, 2025, Plaintiff submitted a CLAIM FOR DAMAGES to the City.
19 (EXHIBIT G.)

20 Therefore, Plaintiff has exhausted all administrative remedies, the discriminatory
21 barrier remains in effect, and Plaintiff files this complaint.

22
23 **V. LEGAL STANDARD**

1 **A. Americans with Disabilities Act, Title II**

2 Title II of the ADA provides that "no qualified individual with a disability shall, by
3 reason of such disability, be excluded from participation in or be denied the benefits of the
4 services, programs, or activities of a public entity, or be subjected to discrimination by any
5 such entity." 42 U.S.C. § 12132.

6 A "public entity" includes "any State or local government" and "any department,
7 agency, special purpose district, or other instrumentality of a State or States or local
8 government." 42 U.S.C. § 12131(1). Woodland is a public entity.

9 Under 28 C.F.R. § 35.130(b)(7), "A public entity shall make reasonable
10 modifications in policies, practices, or procedures when the modifications are necessary to
11 avoid discrimination on the basis of disability, unless the public entity can demonstrate that
12 making the modifications would fundamentally alter the nature of the service, program, or
13 activity."

14 Under 28 C.F.R. § 35.160(a)(1), "A public entity shall take appropriate steps to
15 ensure that communications with applicants, participants, members of the public, and
16 companions with disabilities are as effective as communications with others."

17 The purpose of emergency vehicle warning lights and sirens is communicative: to
18 alert the public of an emergency vehicle's presence and to signal that the vehicle requires
19 right-of-way. This is governmental communication subject to the effective communication
20 requirements of 28 C.F.R. § 35.160.

21 Under 28 C.F.R. § 35.164: "If an action required to comply with this part would
22 result in such an alteration or such burdens, a public entity shall take any other action that
23 would not result in such an alteration or such burdens but would nevertheless ensure that,

1 to the maximum extent possible, individuals with disabilities receive the benefits or
2 services provided by the public entity."

3 When a public entity asserts fundamental alteration or undue burden as a defense, it
4 bears a strict burden of proof. Under 28 C.F.R. § 35.164: "In those circumstances where
5 personnel of the public entity believe that the proposed action would fundamentally alter
6 the service, program, or activity or would result in undue financial and administrative
7 burdens, a public entity has the burden of proving that compliance with this subpart would
8 result in such alteration or burdens. The decision that compliance would result in such
9 alteration or burdens must be made by the head of the public entity or his or her designee
10 after considering all resources available for use in the funding and operation of the service,
11 program, or activity and must be accompanied by a written statement of the reasons for
12 reaching that conclusion."

13 **B. California Disabled Persons Act**

14 The California Disabled Persons Act establishes a separate and independent claim
15 for relief in state court that mirrors and, in some respects, exceeds the protections of the
16 federal Americans with Disabilities Act.

- 17 • California Civil Code § 54(a) provides: "Individuals with disabilities or medical
18 conditions have the same right as the general public to the full and free use of
19 the streets, highways, sidewalks, walkways, public buildings, medical facilities,
20 including hospitals, clinics, and physicians' offices, public facilities, and other
21 public places."

22

23

- 1 • California Civil Code § 54(c) establishes that "A violation of the right of any
2 individual under the Americans with Disabilities Act of 1990 also constitutes a
3 violation of this section."
- 4 • California Civil Code § 54.3 provides for statutory damages of a minimum of
5 \$1,000 for each offense, plus actual damages, and attorney's fees to a prevailing
6 plaintiff.

7 The DPA's explicit guarantee of the "full and free use" of public streets and
8 sidewalks creates a mandate for public entities to ensure that disabled individuals are not
9 denied access due to access barriers. The denial of full and equal access to public streets
10 and sidewalks is established when an access barrier, including excessively intense light or
11 sound, prevents the individual from exercising their statutory right. Here, Plaintiff has
12 established through FDA reports and incident reports to the City that there is a direct causal
13 connection between Plaintiff's disabilities (ASD and photophobia) and the access barriers
14 created by Woodland's excessive emergency vehicle lighting and sirens, which thus denies
15 Plaintiff the full and free use guaranteed by Civil Code § 54(a).

17 **C. Federal Motor Vehicle Safety Standard Prohibiting Auxiliary**

18 **Flashing Lamps**

19 Plaintiff's claim of unequal access and hazard is supported by the City's operation
20 of equipment that violates federal safety law governing vehicle lighting. The crucial
21 restriction for non-required, or auxiliary, lamps is codified in the Federal Motor Vehicle
22 Safety Standard (FMVSS) No. 108, specifically 49 C.F.R. § 571.108(S6.2.1), which
23 mandates:

1 "No additional lamp, reflective device, or other motor vehicle equipment is
2 permitted to be installed that impairs the effectiveness of lighting equipment
3 required by this standard."

4 The City may attempt to argue that its lights are exempt because emergency
5 vehicles are governed by the California Vehicle Code (CVC). However, CVC § 25252
6 requires "at least one steady burning red warning lamp" visible from a specific distance,
7 which establishes the mandatory, non-discretionary minimum lighting requirement. CVC §
8 25252 also permits authorized emergency vehicles to display "revolving, flashing, or
9 steady red warning lights to the front, sides or rear of the vehicles." These flashing lights
10 are discretionary and auxiliary. Any such discretionary flashing lighting remains subject to
11 the paramount federal safety requirement that it must not impair the effectiveness of
12 required equipment under 49 C.F.R. § 571.108(S6.2.1). Since these auxiliary flashing lights
13 are excessively bright, non-steady-burning, and are shown to impair the effectiveness of
14 required safety signals by causing disability-related distraction and visual impairment, their
15 installation and use remain illegal under federal law.

16 There are no known numerical standards for the upper limit on luminance (candela
17 per square meter) that ensure auxiliary lights do not impair the effectiveness of federally
18 required lighting equipment. However, the International Guidelines for Photosensitive
19 Epilepsy: Gap Analysis and Recommendations establish the risk threshold for individuals
20 with photosensitive epilepsy as 20 cd/m². Therefore, a reasonable numerical standard that
21 must be used to establish compliance with 49 C.F.R. § 571.108(S6.2.1) in the context of
22 disability is 20 cd/m². Any statement by the City that its emergency vehicle flashing lights
23 comply with 49 C.F.R. § 571.108(S6.2.1) would necessarily have to divulge the luminance

1 values the City uses and a technical justification as to why a luminance value exceeding 20
2 cd/m² complies with the federal non-impairment requirement.

3 Given the widespread use of auxiliary vehicle flashing lights, the City may have
4 found difficulty recognizing these requirements of federal law. However, 49 C.F.R. §
5 571.108(S6.2.1) is a commonsense law that provides that auxiliary lights should not be so
6 bright or distracting as to impair driver or pedestrian vision. Woodland cannot merely make
7 the conclusory assertion that the fire truck flashing lights are not too bright and are safe.
8 Therefore, to meet its burden of proof under the ADA and defend its policy, the City has an
9 affirmative duty to demonstrate, through objective technical evidence (e.g., photometric
10 studies, independent peer-reviewed research), that the aggregate intensity and flashing
11 pattern of its auxiliary warning system does not violate the federal prohibition against
12 impairment.

14 **D. Burden of Proof for Fundamental Alteration and Undue Burden**

15 **Defenses**

16 When a public entity claims that a requested reasonable modification would result
17 in a fundamental alteration to the nature of a service, program, or activity, or impose an
18 undue financial and administrative burden, the burden of proving this defense is entirely on
19 the public entity. The entity must provide detailed, specific evidence—not conclusory
20 assertions—to meet this high legal standard.

21 The federal regulations are explicit regarding the administrative process required to
22 prove such a defense. A decision to deny a requested modification on the basis of undue
23

1 financial and administrative burden or fundamental alteration must be made by "the head of
2 the public entity or his or her designee" and must be:

- 3 • "accompanied by a written statement of the reasons for reaching that
4 conclusion," and
- 5 • based on "considering all resources available for use in the funding and operation
6 of the service, program, or activity." (28 C.F.R. § 35.164).

7 To satisfy this high burden, the public entity cannot rely on generalized assertions
8 of cost or inconvenience. It must provide specific evidence demonstrating: (a) what the
9 modification would actually require; (b) what the actual, calculated costs would be; (c)
10 what resources are available to the entity; and (d) why the modification would
11 fundamentally alter the nature of the service.

12 Woodland has provided none of this required evidence. Instead, Woodland has
13 offered only conclusory statements, such as claiming that modification would "divert an
14 unacceptable amount of funding," without providing any cost analysis, engineering study,
15 or consideration of low-cost alternatives, thereby failing to satisfy its legal burden under
16 the ADA.

17 **VI. FIRST CAUSE OF ACTION**

18 **Violations of Title II of the ADA (42 U.S.C. §§ 12131-12134)**

19 Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein,
20 the allegations contained in all prior paragraphs of this complaint.

21 Plaintiff is a qualified individual with disabilities under the ADA, having been
22 diagnosed with autism spectrum disorder and photophobia.

23 Woodland is a public entity under 42 U.S.C. § 12131(1).

1 Woodland's operation of emergency vehicles with excessive high-intensity LED
2 flashing lights and sirens discriminates against Plaintiff on the basis of disability by: (a)
3 denying Plaintiff equal access to public streets and sidewalks; (b) failing to provide
4 effective communication; and (c) creating unavoidable barriers to Plaintiff's safe use of
5 public ways, in violation of 42 U.S.C. § 12132.

6 Plaintiff requested reasonable modifications to Woodland's policies, practices, and
7 procedures regarding emergency vehicle warning lights and sirens pursuant to 28 C.F.R. §
8 35.130(b)(7).

9 The requested modifications are reasonable and would not fundamentally alter the
10 nature of Woodland's emergency response services because: (a) reducing light intensity
11 from extreme levels (e.g., 100,000+ cd/m²) to safer levels (e.g., 20-40 cd/m²) would
12 maintain visibility while reducing harm; (b) reducing the number of simultaneously active
13 lights would maintain adequate warning while reducing sensory overload; (c) emergency
14 vehicles could maintain effective warning capability with fewer, less intense lights; (d)
15 California Vehicle Code requirements establish minimum lighting standards, not maximum
16 intensity requirements; and (e) while CVC § 27002(a) permits an authorized emergency
17 vehicle to be equipped with a siren, the statute does not mandate the use of a high-decibel
18 siren over less-injurious audible devices; thus, Woodland could use alternative audible
19 warning devices such as bells or directional beepers at lower sound levels than sirens,
20 which would still comply with CVC § 21055.

21 Plaintiff's requested modifications would ensure that communications with Plaintiff
22 via emergency vehicle warning systems are "as effective as communications with others,"
23 as required by 28 C.F.R. § 35.160(a)(1).

1 Woodland has failed to meet its burden of proving fundamental alteration or undue
2 burden under 28 C.F.R. § 35.164. Although the City Manager—the proper decision-
3 maker—ultimately responded to Plaintiff's request, the denial remains substantively
4 deficient because: (a) the denial lacks the required detailed written analysis of why the
5 modifications would fundamentally alter services or impose undue burdens; (b) the denial
6 provides no specific evidence or supporting documentation regarding costs, technical
7 requirements, or safety studies; (c) the denial fails to demonstrate consideration of all
8 available resources; (d) the denial fails to consider low-cost or zero-cost alternatives; and
9 (e) the denial provides only conclusory assertions rather than the detailed factual analysis
10 required by regulation.

11 Woodland has failed to take "any other action" that would ensure Plaintiff receives,
12 "to the maximum extent possible," the benefits of public services. The proposed map
13 accommodation is ineffective and does not meet this standard. 28 C.F.R. § 35.164.

14 Woodland's emergency vehicle lighting and siren system, as currently operated,
15 violates Plaintiff's rights under the ADA by denying effective communication and equal
16 access to public streets and sidewalks.

17 As a direct and proximate result of Woodland's violations, Plaintiff has suffered and
18 continues to suffer: (a) physical pain and injury; (b) severe emotional distress, anxiety, and
19 panic attacks; (c) denial of equal access to public streets and sidewalks; (d) inability to
20 safely navigate Woodland's public ways; and (e) ongoing fear and apprehension of future
21 encounters.

22 Plaintiff is entitled to injunctive relief, declaratory relief, actual damages, and
23 attorney's fees pursuant to 42 U.S.C. § 12133 and § 12205.

1 **VII. SECOND CAUSE OF ACTION**

2 **Violations of the Disabled Persons Act (Cal. Civ. Code § 54)**

3 Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein,
4 the allegations contained in all prior paragraphs of this complaint.

5 Under California Civil Code § 54(a), individuals with disabilities have the same
6 right as the general public to the full and free use of streets, sidewalks, and public places.

7 Woodland's operation of emergency vehicles with excessive high-intensity LED
8 flashing lights and sirens directly interferes with and denies Plaintiff the full and free use of
9 public streets and sidewalks in Woodland.

10 The incidents on September 18, 2025, and December 6, 2025, demonstrate that
11 Plaintiff cannot safely traverse Woodland's streets and sidewalks due to the discriminatory
12 barrier created by Woodland's emergency vehicle lighting systems and sirens.

13 California Civil Code § 54(c) establishes that a violation of the ADA also
14 constitutes a violation of Section 54. Woodland's ADA violations, as alleged above,
15 therefore constitute violations of the DPA.

16 Woodland is liable for statutory and actual damages pursuant to California Civil
17 Code § 54.3.

18 **VIII. THIRD CAUSE OF ACTION**

19 **Declaratory Relief (C.C.P. § 1060)**

20 Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein,
21 the allegations contained in all prior paragraphs of this complaint.

22 An actual controversy exists between Plaintiff and Woodland regarding: (a)
23 whether Woodland's current emergency vehicle lighting practices violate the ADA; (b)

1 whether Woodland's denial of accommodation was substantively sufficient under 28 C.F.R.
2 § 35.164; (c) whether the requested modifications constitute reasonable accommodations;
3 (d) whether Woodland has met its burden of proving fundamental alteration or undue
4 burden; and (e) Plaintiff's rights to equal access and effective communication under federal
5 and state law.

6 Plaintiff seeks a judicial declaration of the parties' rights and duties under the ADA
7 and California law.

8 A declaration of rights is necessary and appropriate to determine Plaintiff's rights to
9 equal access to public streets and sidewalks and to effective communication with
10 Woodland's emergency services.

11 **IX. FOURTH CAUSE OF ACTION**

12 **Writ of Mandate (C.C.P. § 1085)**

13 Plaintiff re-pleads and incorporates by reference, as if fully set forth again herein,
14 the allegations contained in all prior paragraphs of this complaint.

15 "The City of Woodland's practice of enforcing a minimum light intensity guideline
16 (from NFPA) while arbitrarily ignoring the public safety requirement for a maximum
17 intensity guideline established in the International Guidelines for Photosensitive Epilepsy:
18 Gap Analysis and Recommendations, constitutes an abuse of discretion because the
19 resulting policy is arbitrary and capricious, violating Petitioner's right to Substantive Due
20 Process under the California and United States Constitutions, as it actively threatens the
21 public interest (by allowing hazardous and dangerous lights) without a rational public
22 safety justification under Cal. Code. Civ. Proc. § 1085.
23

1 **X. RELIEF REQUESTED**

2 Plaintiff respectfully requests that the Court enter judgment:

3 A. **Declaring** that Woodland has violated and continues to violate Title II of the
4 Americans with Disabilities Act, 42 U.S.C. §§ 12131-12134, and its implementing
5 regulations at 28 C.F.R. Part 35;

6 B. **Declaring** that Woodland has violated the California Disabled Persons Act,
7 California Civil Code § 54;

8 C. **Declaring** that Woodland's denial of Plaintiff's accommodation request was
9 substantively deficient and failed to meet the requirements of 28 C.F.R. § 35.164;

10 D. **Declaring** that Woodland has failed to meet its burden of proving that the
11 requested modifications would fundamentally alter emergency response services or impose
12 an undue burden;

13 E. **Declaring** that Woodland has failed to provide Plaintiff with effective
14 communication as required by 28 C.F.R. § 35.160(a);

15 F. **Issuing** a Writ of Mandate under Code. Civ. Proc. § 1085 directing Woodland to
16 determine a reasonable maximum luminance of the City's vehicle flashing lights that
17 ensures full and equal access to City services by individuals with disabilities.

18 G. **Awarding** attorney fees and costs incurred in this action pursuant to the Private
19 Attorney General Statute, Code Civ. Proc. § 1021.5, on the grounds that this action has
20 resulted in the enforcement of an important right affecting the public interest and has
21 conferred a significant benefit upon the general public.
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Dated: December 8, 2025

Respectfully Submitted,

By: /s/ Mark Baker
Pro Se

EXHIBIT A



1520 E. Covell Blvd. Suite 5-467
Davis, CA 95616

September 20, 2025

BY EMAIL

Richard Perry, ADA Coordinator
Woodland, California
richard.perry@cityofwoodland.gov

Re: ADA Accommodation Request – Auxiliary Firetruck Flashing Lights

Dear Richard Perry,

On September 18, 2025, I was driving east on Main Street in Woodland, California, when I noticed LED flashing lights on an emergency vehicle in the distance. As you know, I am unable to tolerate the intensity and digital flashing characteristics of LED emergency vehicle flashing lights, so I prepared to turn right at the intersection to avoid the flashing lights.

However, before I could turn, two Woodland fire trucks appeared very near to me with dozens of red LED flashing lights and extraordinarily loud sirens that immediately overwhelmed me, causing me to close my eyes as tight as possible, put both fingers in my ears, and put my foot on the brake to stop the car. My heart began racing and panic set in. I feared for my life.

Eventually, the fire trucks left, and I was able to open my eyes. I pulled into a parking lot in an attempt to recover. However, the trauma from the event lasted for hours.

This letter is a request for accommodation and policy modification under the Americans with Disabilities Act (“ADA”).

The stated purpose for the use of auxiliary vehicle flashing lights and sirens on emergency vehicles is for communicating with the public. The various colors of the flashing lights have different meanings, and purpose of the sirens is to communicate the presence of the emergency vehicles. Therefore, because the flashing lights and sirens are for the purpose of communication, the applicable ADA regulation is 28 CFR Part 35 - Subpart E - Communications.

As detailed in my report of the incident on September 18, 2025, the LED flashing lights are too intense, there are too many of them, the digital on/off is overwhelming, and the volume of the siren is incapacitating for me, as an individual with the qualified ADA disability of

autism spectrum disorder. Because of the extreme intensity of the light and sound, the city's communications via the fire trucks are not as effective with me as the communications are with individuals without disabilities because the flashing lights and sirens severely impair my ability to see, think, and concentrate.

28 CFR § 35.160(a)(1) states, "A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others."

Under 28 C.F.R. § 35.130(7)(i), I request that the city of Woodland modify its policies, practices, and procedures, and take appropriate steps to reduce the intensity of the flashing lights, reduce the number of flashing lights, eliminate the digital on/off flashing, and reduce the volume of the sirens so that the city's communications via the fire trucks are as effective with me as the communications with individuals without disabilities.

28 CFR § 35.164 states, "In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with this subpart would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity and must be accompanied by a written statement of the reasons for reaching that conclusion." Therefore, if the city denies my request for accommodation, the city must provide written statement that details the reason for the denial, including references to the health and safety studies that the city relied on to reach its conclusion that the intensity of the flashing lights and sirens cannot be reduced.

28 CFR § 35.164 also states, "If an action required to comply with this subpart would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the public entity." Thus, the city is required to ensure my equal protection and ensure that I have full and equal access to city streets and sidewalks in all cases, and a denial of my request for accommodation does not relieve the city of its duty to find a solution for this issue.

I ask for a prompt response to this request.

Sincerely,

/s/ Mark Baker
Individual

/s/ Mark Baker

President
Soft Lights Foundation
mbaker@softlights.org

APPENDIX A

RESEARCH STUDIES

November, 2024 – [Securing the Perception of Advanced Driving Assistance Systems Against Digital Epileptic Seizures Resulting from Emergency Vehicle Lighting](#) – LED flashing lights interfere with automated driving systems.

October 4, 2024 – [International Guidelines for Photosensitive Epilepsy: Gap Analysis and Recommendations](#) – Limit brightness difference between flashing states to a luminance of 20 cd/m².

July 26, 2023 – [Accidental macular injury from short-term exposure to a handheld high-intensity LED light](#) – Short-term exposure to high-intensity LED light may cause damage to the retina.

February 7, 2022 – [Visually sensitive seizures: An updated review by the Epilepsy Foundation](#) – The abstract states that visually-induced seizures remain significant public health hazards so they warrant ongoing scientific and regulatory efforts and public education and that images with flashes brighter than 20 candelas/m² at 3-60 (particularly 15-20) Hz occupying at least 10 to 25% of the visual field are a risk. This confirms that LED flashing lights will trigger epileptic seizures.

December, 2021 – [Effects of Emergency Vehicle Lighting Characteristics on Driver Perception and Behavior](#) – This study concludes that high intensity flashing lights put lives at risk.

June 30, 2021 – [Study of Heart Rate and Blood Pressure Subject to Pulsed LED Lighting](#) – The findings indicate that pulsed light will cause a deviation of heart rate and blood pressure from that under stable light. Results showed that after a short lighting period (20 min), heart rate and blood pressure were significantly higher under 40 Hz pulsed than that under stable light.

May 2, 2017 – [Flashing Lights Induce Prolonged Distortions in Visual Cortical Responses and Visual Perception](#) – A flashing light induces an anomalously delayed response in the primary visual cortex of mice, rats, and humans.

April 18, 2014 – [Hazardous Effects of Light Stimulation in the Central Nervous System](#) – High-temporal-frequency visual stimuli can yield hazardous responses in the central nervous system.

August 5, 2001 – [Rear Lighting Configurations for Winter Maintenance Vehicles](#) - Strobing lights are less effective than static lights for safety.

APPENDIX B

REPORTS OF INJURY to MARK BAKER

The following reports of injury to Mark Baker have been submitted to US Food and Drug Administration by the Soft Lights Foundation.

September 18, 2025 – Woodland, CA – Autism

As I drove through town, I heard emergency vehicle sirens, and then I saw two fire trucks turn towards me with dozens of intense red LED flashing lights that overwhelmed my senses and caused me to stop my car in the middle of the road, close my eyes as tight as possible, and put my fingers in my ears. My heart rate increased dramatically and I went into a panic. I attempted to squint open my eyes, but it was impossible and terrifying. I waited for the sirens to fade and when I opened my eyes, I saw that traffic was backing up behind me. I pulled into a parking lot. Afterwards, I was like a zombie and it took me hours to recover from the trauma.

September 15, 2025 – Sacramento, CA – Autism

I was traveling North on I-15 between Sacramento and Woodland, when the traffic slowed due to a crash. As we approached the crash driving slowly, a CHP motorcycle suddenly came into view that was using auxiliary blue LED flashing lights. The sudden impact of the extreme-luminance light knocked me backwards into my seat. I grunted in agony, and closed my eyes. After several seconds, I squinted my eyes open again and kept my left eye closed to enable me to drive past the motorcycle.

September 9, 2025 – Woodland, CA – Autism

I went to the health clinic to have my eyes checked. The clinician had me put my chin on a chinrest in a device that they called an optomap. They then moved the machine around until a blue LED light entered my eye. I closed my eyes because it was too bright. The clinician told me that I had to open my eye. When I opened my eye, the blue LED light was aimed directly into my right eye from a few inches away.

The intensity of the blue LED light caused me to leap out of my chair, yell profanity, wander down the hallway, fall to the floor and start crying.

The health clinic then told me that the eye doctor refused to see me and they sent up a security guard and I was kicked out of the clinic.

February 17, 2025 – Yolo County, CA – Autism

I was driving east on Hwy 16 towards Woodland, when I noticed intense amber LED flashing lights close to a mile ahead. I started to slow down. As I reached the LED flashing lights, the intensity and digital pulsing was unbearable. There were multiple vehicles. The panic started to set in. I covered my eyes with my hands and slowed to less than 20mph, basically trapped by the LED lights.

I crept forward in my car, blocking nearly everything from my sight except for a narrow sliver of

road near the center line that I could see. Major panic started to set in as I passed the vehicles, which turned out to be about 3 Yolo County Sheriff's vehicles. After I passed, I glanced back in my rear view mirror and was struck by red and blue LED flashing lights. I let out a scream of agony. I suffered significant emotional trauma from this event.

November 25, 2024 – Vacaville, CA – Autism

I was driving East on E. Monte Vista Ave. when I struck by the LED flashing lights on an RRFB. Instead of the RRFB making me stop, I start yelling fuck, fuck, fuck, fuck, fuck, fuck as I tilted my head down and drove straight through to escape the LED assault and save my life.

November 23, 2024 – Sacramento, CA – Autism

I was driving in town when I was struck by a debilitating blue LED flashing light in a store window. I have previously notified the owner of this store twice that I cannot neurologically tolerate the intensity and digital pulsing of this light, but they haven't acted to turn it off.

October 27, 2024 – Los Angeles, CA – Autism

My partner and I took turns driving from Sacramento to San Diego during the day. For the most part, the drive was without incident. At about 4pm, we were in the Los Angeles area.

First, we witnessed the result of a fatality crash, with about 6 emergency vehicles with red LED flashing lights. I was the passenger, and was forced to shield my eyes from the flashing LEDs. Then I was struck at close range by the blue LED lights on a highway patrol car further down the freeway, causing me pain and anxiety.

Around 5pm, the blue-rich LED headlights started appearing, causing me to have to look out the passenger window. Then the blue-rich LED streetlights started turning on, causing me to flinch with each exposure. Then there were blue-rich LED wall packs and floodlights on my right and left which increased my agitation at each exposure.

As the sun set, we exited on a ramp, and tiny yellow LED flashing lights on multiple curve signs struck me directly at close range. After dark, we were inundated with blue-rich LED headlights, blue-rich LED streetlights, blue-rich flood lights, LED business signs, parking lot lighting, and intense LED red taillights. A commercial truck had red LEDs wrapped around the entire back of the truck.

When we arrived at my my mother's house, a place I know well, I was hyper vigilant. Every light was now too bright. Every light was a danger. Everything was too bright. For the first time in my life, I was unable to greet my mother with enthusiasm. I was in shock.

My mother turned off all but one incandescent lamp, but when she asked me if she could turn on one more lamp, I broke down crying. I am now on edge. I am on hyper alert. Every light is an enemy.

October 12, 2024 – Esparto, CA – Autism

I was driving behind a vehicle when it suddenly pulled to the side of the road. Coming towards

us was an ambulance with LED flashing lights. I felt like I was electrocuted and was going to go unconscious. I instantly closed my eyes and stopped my car. After a few seconds, a car behind me honked, and when I opened my eyes, the ambulance was already gone. Now I'm suffering the psychological after-effects.

October 11, 2024 – Yolo County, CA – Autism

I was driving East on a County road in the day when a vehicle came towards me with intense, rapidly flashing amber LED lights. I felt panic rushing in and put my arms up to block the assault. Since I now couldn't see the road, I came to a full stop. Then somebody honked a horn. I moved my arms, and saw that the lead truck had passed, but a wide-load mobile home on a truck was inches from the left side of my car. These LED flashing lights are a menace and violation of our civil rights. My anxiety ran high for 30 minutes after the encounter.

September 14, 2024 – Vacaville, CA – Autism

I was driving at dusk when a fire truck or ambulance suddenly appeared with LED lights flashing. I immediately threw both of my arms in front of my face and hit the brakes to stop the car. I thought that this might be the end of my life. The LED flashing lights are sheer terror and I can't function. After the fire truck/ambulance passed by, I felt like I was going to cry from the emotional trauma. My brain then feels like it's dead even hours later.

August 28, 2024 – Esparto, CA – Autism

I was driving and encountered a utility truck with both sets of headlights turned on. I turned on my non-LED high beams in the hope that the driver would turn off the high beams. Instead, the driver turned on amber LED flashing lights that incapacitated me. I was unable to proceed forward and stopped my car. Instead of driving off, the driver of the utility truck stopped also. My vision and cognitive abilities were severely impaired, with panic setting in. Finally, I started to inch forward, and then so did the utility truck. It seems like the driver was doing it on purpose. After he left, I spent several minutes simply stopped in the middle of the road, trying to breathe and let the panic subside.

August 6, 2024 – Winters, CA – Autism

I was driving on a country road in the daytime. Over 1 mile ahead of me was a utility truck on the side of the road with amber LED flashing lights. For the entire mile, I was either glued to these LED flashing lights, or forcing myself to look away. As I approached the truck, the LED strobe lights were overwhelming and I could not see through the lights. I stopped my car in the road and started to panic. I put my hand in front of my right eye, and then tried to use my left eye to navigate around the truck. It is impossible for me to think or see with these LED flashing lights blasting me and I suffer extreme anxiety and panic.

June 1, 2024 – Fairfield, CA – Autism

During the day, I was driving a vehicle on a freeway when I struck by an LED flashing light from a bicycle on a parallel road. I reactively closed my eyes and then suffered a seizure reaction,

which I would describe as like an electrical shock and loss of cognitive functioning and vision. I then had to emotionally fight off a panic attack.

4/21/2024 – Beaverton, OR – Autism

LED flashing lights cause me to suffer severe anxiety, panic attacks, and fear.

APPENDIX C

EMERGENCY VEHICLE ADA COMMUNICATIONS CHECKLIST

This is an Americans with Disabilities Act (“ADA”) checklist to assist the city in determining the policies, practices, and procedures for the city’s use of auxiliary vehicle flashing lights and sirens.

28 C.F.R. § 35.130(7)(i) states, “A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.”

One step in the ADA policy modification process is to determine if the request for policy modification is “reasonable”.

1. Would it be reasonable for there to exist a policy that limits the intensity of auxiliary vehicle flashing lights? (Yes/No) _____
2. Would it be reasonable for there to exist a policy that establishes the requirements for the flashing characteristics of auxiliary vehicle flashing lights? (Yes/No) _____
3. Is it reasonable to conclude that certain individuals with disabilities may require an intensity limit of a flashing light that is lower than the intensity limit required by individuals without disabilities? (Yes/No) _____
4. Would it be reasonable for there to exist a policy that limits the intensity of the sirens on fire trucks? (Yes/No) _____
5. Is it reasonable to conclude that certain individuals with disabilities may require an intensity limit of a siren that is lower than the intensity limit required by individuals without disabilities? (Yes/No) _____

28 CFR § 35.160(a)(1) states, “A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.”

6. The stated purpose of auxiliary vehicle flashing lights is to communicate information to members of the public. Various colors and intensities have different meanings for the communications. The flashing light must be visible but not impair vision. The light must be bright enough, but not excessively bright. For certain individuals with disabilities, excessively bright light will reduce the effectiveness of the communication because it may cause a seizure, migraine, or panic attack.

In the table below, the column headings have the following meanings:

Visible: Visible from 50 meters at night. (Yes/No)

Impairs Equipment: Violation of 49 C.F.R. 571.108(S6.2.1). (Yes/No)

Impairs Vision: Decreases visual performance. (Yes/No)

Seizure: Risk of seizure for individual with disability. (High/Medium/Low)

Migraine: Risk of migraine for individual with disability. (High/Medium/Low)

Panic Attack: Risk of panic attack for individual with disability. (High/Medium/Low)

Luminance (cd/m ²)	Visible	Impairs Equipment	Impairs Vision	Seizure	Migraine	Panic Attack
0 - 20						
20-40						
40-60						
60-100						
100-200						
200-300						
300-500						
500-1,000						
1,000 – 10,000						
10,000 – 50,000						
50,000 – 100,000						
100,000 – 1,000,000						
1,000,000 – 1,000,000,000						

7. Does increasing the number of flashing lights increase the risk of visual impairment, seizure, migraine, or panic attack? (Yes/No) _____
8. Does digital on/off flashing create a higher risk of visual impairment, seizure, migraine or panic attack than a traditional flashing light that glows? (Yes/No) _____
9. Would it be reasonable to conclude that communicating with certain individuals with disabilities is not as effective as communicating with individuals without disabilities if the flashing lights are too intense or flash too rapidly? (Yes/No) _____
10. Would it be reasonable to conclude that communicating with certain individuals with disabilities is not as effective as communicating with individuals without disabilities if the siren is too loud? (Yes/No) _____

EXHIBIT B



300 FIRST STREET | WOODLAND, CA 95695

530-661-5850 | CITYOFWOODLAND.GOV

Mark Baker
Soft Lights Foundation
1520 E. Covell Blvd., Ste. 5-467
Davis, CA 95616
mbaker@softlights.org

October 21, 2025

Re: Americans with Disabilities Act Requests for Accommodation- Auxiliary Firetruck Flashing Lights and Sirens and Police Vehicle Flashing Lights

Dear Mr. Baker,

The City of Woodland (“City”) is in receipt of your letter dated September 20, 2025, and your email dated October 14, 2025, in which you request reasonable accommodations related to the City’s use of flashing warning lamps and sirens on emergency vehicles. For the reasons set forth in this letter, your requests for reasonable accommodation are denied.

In your September 20, 2025, letter, you describe an incident which occurred on September 18, 2025, while you were driving in the City, wherein two Woodland Fire Department trucks passed by your vehicle. The fire trucks were responding to an emergency call with their emergency warning lamps and sirens activated. In your October 14, 2025, email, you describe another incident while you were driving in the City wherein you passed a City Police Department vehicle with its multi-colored warning lamps activated. Your submissions state that you were distressed during both of these encounters as you are unable to tolerate the intensity and digital flashing of LED lights due to your autism spectrum disorder. In your October 14 submission, you request that the City modify its emergency vehicles to reduce the intensity of emergency vehicle warning lamps and reduce the volume of emergency vehicle sirens.

The Americans with Disabilities Act

The City takes seriously its obligations under the Americans with Disabilities Act (“Act”) and it carefully considers all requests for reasonable accommodations/modifications. The Act generally provides that no individual with a disability may be denied the “benefits of the services, programs, or activities of a public entity” or discriminated against on the basis of their disability. (42 U.S.C.A. § 12132.) Under the Act’s implementing Regulations, local governments

must make reasonable modifications to their policies and practices to accommodate people with disabilities, unless it can be shown that the requested modification would fundamentally alter the nature of the service, program or activity or impose an undue financial and administrative burden on the agency. (28 C.F.R. § 35.130, subd. (a); 28 C.F.R. § 35.164.) One such reasonable modification under the implementing Regulations is the requirement that local governments take “appropriate steps to ensure that communications with ... members of the public ... with disabilities are as effective as communications with others.” (28 C.F.R. § 35.160, subd. (a).)

In your submissions, you ask the City for modifications to its emergency vehicles to ensure that the City engages in effective communication with you when emergency warning lights and sirens are used. You state that such warning lights and sirens are “communications”, and they are “not as effective with me as the communications are with individuals without disabilities because the flashing lights and sirens severely impair my ability to see, think, and concentrate.” Specifically, in your October 14 request, you ask that City emergency vehicles be subjected to reasonable modifications which involve the following: “set an upper limit on the intensity of the flashing lights, set an upper limit on the number of flashing lights per vehicle, prohibit the use of digital on/off flashing lights, and/or set an upper limit on the intensity of the sirens” and for the use of lower-volume sirens.

As explained further below, the City is unable to offer you the modifications to the warning lamps and sirens that you request in your submissions. However, as a reasonable accommodation of your disability of autism spectrum disorder, which renders you unable to tolerate flashing lights and sirens, the City is hereby offering to provide you with a map indicating the location of fire and police stations, and other sites such as medical centers where emergency vehicles typically originate from or travel to. This map will enable you to take alternative routes while driving. Accordingly, please provide the City with the locations and times you usually travel within the City. However, you should know that even with the ability to take such routes, the City cannot guarantee that you will never encounter emergency vehicles with activated warning lamps and sirens, since emergency vehicles will travel on any City street and to any place, sometimes with emergency warning systems activated, as public safety needs dictate. In addition to this accommodation offered by the City, the City is aware of certain steps you might consider taking of your own accord to reduce your exposure to bright lights and sounds, such as the use of glare-reducing glasses, side window tints on your vehicle, and hearing protection.

The California Vehicle Code Establishes Uniform Standards for Emergency Vehicles Operated by Local Agencies in California

Authorized emergency vehicles are regulated at the State level under the Vehicle Code (“Code”) and the Department of the California Highway Patrol’s Regulations. The City is bound by law to follow these standards. Accordingly, the issues you raise in your letter would be better directed to the State authorities which set these standards, rather than to the City which follows them by law.

An authorized emergency vehicle under the Code includes “[a]ny publicly owned vehicle” operated by “[a]ny local agency ... employing peace officers as that term is defined in Chapter 4.5 (commencing with Section 830) of Part 2 of Title 3 of the Penal Code, for use by

those officers in the performance of their duties” and “[a]ny ... fire department of any public agency” (Veh. Code § 165, subd. (b)(1)-(2).) This definition encompasses the fire trucks and police vehicles addressed in your submissions. Under Section 21 of the Vehicle Code, to ensure uniformity of traffic regulation across the State, local governments such as the City have limited powers to regulate matters covered by the Code, such as emergency vehicles and the traffic rules they operate under. (Veh. Code § 21.)

Under the Code, “every authorized emergency vehicle shall be equipped with at least one steady burning red warning lamp visible from at least 1,000 feet to the front of the vehicle to be used as provided in this code,” and in addition, “authorized emergency vehicles may display revolving, flashing, or steady red warning lights to the front, sides or rear of the vehicles.” (Veh. Code §§ 25252, subds. (a)-(b); 25252.5, subds. (a)-(c).) Additionally, police vehicles may display: “steady burning or flashing white lights to either side mounted above the roofline of the vehicle” during the performance of their duties; “a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals;” “a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle”; and “flashing or revolving amber warning lights to the front, sides, or rear of the vehicle”. (Veh. Code §§ 25259, subd. (b); 25277; 25258, subds. (a)-(b); 25259.)

Sirens may only be equipped on and used by authorized emergency vehicles. (Veh. Code § 27002.) The intent of this law is abundantly clear: sirens serve a vital public safety function in distinguishing emergency vehicles from others. The technical requirements for emergency vehicles sirens, including sound levels, are set forth in Title 13 of the California Code of Regulations, and these do not provide the City with the discretion to equip its emergency vehicles with an 80dB siren as you request. (13 Cal. Code Regs. § 1020 et seq.)

By law, to be exempt from road rules during an emergency response, emergency vehicles *must* activate front warning lamps and sirens to alert other road users to yield the right of way. (Veh. Code §§ 21806, 21055; *Monroy v. City of Los Angeles* (2008) 164 Cal. App. 4th 248, 257.) Therefore, for City emergency vehicles to be able to make the fastest possible response when called to a critical incident, its vehicles must use such equipment to alert others to clear the roadway. The City cannot avoid this legal requirement of a front warning light and siren as an accommodation for your disability and still be able to respond to emergencies in an appropriate timeframe.

Furthermore, under the Code, the display of different-colored warning lights is integral to many police functions such as redirecting traffic, parking enforcement, signaling to vehicles, and engaging in law enforcement. (*See e.g.* Veh. Code §§ 30, 25258, 25259, 2800.1). In particular, by law, blue warning lamps *may only* be used on emergency vehicles operated by specified peace officers. Accordingly, blue lamps serve a particularly important function in distinguishing such vehicles from other emergencies and special hazard materials, which may display red, white or amber warning lamps. (Veh. Code § 25258.) Again, the City’s law enforcement responses would be hampered without the ability to alert other drivers to a law enforcement presence via a blue warning lamp.

The State has adopted further technical specifications for police and fire emergency vehicle sirens and warning lights, both mandatory and optional, in Division 2 of Title 13 of the

California Code of Regulations, which the City also follows as required by law and as public safety needs dictate. These Regulations cover specifications such as the luminous intensity warning lights, color, and flash rates. (13 Cal. Code Regs. Div. 2.) Thus, whenever the City opts to incorporate warning systems permitted under state law, it must abide by these state-level standards. As suggested above, your concerns with the brightness of these warning lamps may therefore be better directed to the California Highway Patrol during the next update to these Regulations pertaining to emergency vehicles.

The Warning Lights and Sirens Used By the City's Fire Vehicles Follow the National Fire Protection Association Best Practices and Yolo Emergency Communications Agency Policies on Use of Warning Lamps and Sirens

Further, in the interests in public safety, and within the parameters of the Regulations, the Department also follows the National Fire Protection Association's (NFPA) Standard 1901 for warning lamps, which call for side lamps, designate flash rates, and other specifications. These standards were developed by the NFPA after exhaustive research and expert input. They are utilized nationwide and the NFPA standards are the nationally recognized best practices in fire emergency response. Accordingly, you may wish to communicate directly with the NFPA your concerns about the impact of warning lights and sirens on individuals with autism spectrum disorder as an issue for the NFPA to consider in updating its standards.

In addition to this, the Woodland Fire Department follows the procedures adopted by its dispatch agency, the Yolo Emergency Communications Agency (YECA), which utilizes industry's best practices in determining whether an incident requiring emergency response is a code-3 (lights and siren) or code-2 (no lights and siren) response. The determination of a response's code status is made based on the severity of the emergency as communicated by the 911 caller. By following the YCEA's policy on utilization of warning systems, the Department has taken reasonable steps to reduce disturbances to other road users while ensuring the Department makes an appropriate emergency response to all call-outs.

The Requested Modification/s to the Warning Lights on the City's Emergency Vehicles Would Reduce Public Safety

Even if State law allowed the City to deviate from State standards for its emergency vehicle warning equipment, the use of sirens and warning lights on emergency vehicles serve a vital public safety purpose and modifying them as you request would impose an undue safety risk. Sirens and warning lights are legally required to alert road users that an emergency vehicle will be passing by at speed and under an exemption from the usual rules of the road. In the Department's view, adopting all permitted warning systems under State law in accordance with the NFPA standards represents the most effective way to make such an alert to other road users, and deviation from such standards would pose an unacceptable reduction in safety for the City's residents.

Indeed, as a matter of public safety and of compliance with the Americans with Disabilities Act, the City must ensure effective communication with road users and pedestrians who may be deaf, hard of hearing, blind, or visually impaired. In the Department's view, the

standards currently followed by the City provide the best available mechanisms to engage in the effective communication of emergency responses to individuals with such disabilities.

The Requested Accommodations Would Impose an Undue Financial and Administrative Burden Upon the City

Finally, even if the law and public safety considerations allowed the City to modify its emergency warning vehicle systems in the ways you suggest, replacement or re-engineering of the City's state-of-the-art vehicle equipment as an accommodation for your disability would pose an undue financial and administrative burden.

For example, the City's fire vehicles come from manufacture pre-fitted with NFPA-compliant warning apparatuses. The warning light equipment is engineered to operate at a specified electrical load. Modification of this lighting equipment on the vehicles to reduce its brightness as you request email would require wholesale re-engineering the vehicle's electrical system—at a significant cost. Re-engineering the City's police vehicle fleet would pose similar technical and cost challenges. Accordingly, under the ADA's undue burden standard, the City has determined that re-engineering the City's police and fire vehicles would divert an unacceptable amount of funding and effort away from its emergency response functions, which protect the safety of Woodland's residents.

This letter constitutes the City's response to your request for accommodations and effective communication in relation to Department emergency vehicles. If this response does not satisfactorily resolve the concerns you have reported, you may appeal the decision within 15 calendar days after receipt of this response to the City Manager. If you wish to appeal, please send your appeal letter to:

City of Woodland
300 First Street
Woodland, CA 95695
Attn: City Manager

Please let me know if you have any questions.

Sincerely,



Lauryn Wiens
Management Analyst

ADA Coordinator
City of Woodland

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New NFPA 1900 Standard and Implications for Emergency Warning Lights

12/03/2024



On January 1, 2024, a new National Fire Protection Association (NFPA) standard became effective. This new standard is titled “NFPA 1900 Standard for Aircraft Rescue and Firefighting Vehicles, Automotive Fire Apparatus, Wildland Fire Apparatus, and Automotive Ambulances”.

NFPA 1900 replaces the previous NFPA 414, NFPA 1901, NFPA 1906, and NFPA 1917.

The new NFPA 1900 standard maintains most of the emergency warning light requirements from the previous standards, but there are some changes to be aware of.

UPDATES INCLUDED IN THE NFPA 1900 STANDARD

· **Inclusion of Automotive Ambulances**

The previous standards that NFPA 1900 replaces, did not include requirements for automotive ambulances. These vehicles are now included, and therefore can be equipped with emergency warning systems that are comparable in equipment and performance to similar systems that fire departments have used for their apparatus for many years.

· **Night Mode/Dimming of Warning Lights**

The new NFPA 1900 standard allows for the characteristics (optical intensity) of the warning light system to change (dimming) based on day/night conditions, but the long-standing

minimum optical performance requirements from prior standards have been maintained.

To further clarify the use of additional features of warning light systems, the Annex of the new standard provides additional guidance on the use of these features in order to minimize the affect that the high intensity of warning lights can have on nearby passing motorists. See the Annex of NFPA 1900 for more information.

• **Use of Green Warning Lights on Apparatus**

In NFPA 1900, Green warning lights have been added as a permissible warning light color. However, the optical energy from any green lights that are utilized may not be included in zone total optical power calculations. This means that any light energy from the green lights will be incremental to the warning light from light sources that combined to meet minimum performance levels. Additionally, any green lights utilized must meet the chromaticity requirements of SAE J578 to comply with the new standard.

• **Zone Certification for Minimum Optical Performance**

The new NFPA 1900 standard has added language that now allows for the certification of all eight warning zones (Upper and Lower Zones A, B, C, and D) independently. This provides departments with the ability to use equipment from various manufacturers on their vehicles, as long as they can, at minimum, certify each zone separately or certify all the zone requirements as a total.

· **Change to Minimum Flash Rate**

The flash rate of any optical source shall be between 60 and 240 flashes per minute (fpm). The previous standards had a low flash rate of 75 fpm.

BENEFITS OF LED LIGHTS NOW INCLUDED IN THE NEW NFPA 1900

Technological advancements of LED lighting in the emergency warning light market contributed to the NFPA committee introducing this new and updated NFPA 1900 standard.

LED lights increase visibility and provide more intense lighting with less power draw demand on the vehicle electrical system. In the past, incandescent lamps were limited in intensity by the size of the alternator on the truck and the NFPA standard sought to ensure lamps were bright enough to be visible in the daytime while competing with sunlight. Today's LED technology produces much more intense lighting that greatly exceeds the old minimum standard. This LED technology is considered in the NFPA's guidance added to the NFPA 1900 annex, for those departments wishing to adopt a night mode feature.

In addition, LED lights provide versatility for multicolor configurations and a variety of flash patterns in a compact size. While the NFPA 1900 has added Green as a permissible color, it is not included in the standard's minimum lighting requirements.

Combining a long life of 50,000 to 100,000 hours, to reduce the replacement interval, with the durability of a solid-state device to

withstand rigorous roadway conditions, LED lights provide benefits every department can use when specifying and purchasing warning lights for fire and ambulance apparatus.

PARTNER WITH A TRUSTED MANUFACTURER FOR PURCHASING SPECIFICATIONS

While departments may have experience creating specifications for fire apparatus and ambulances, Federal Signal works to provide its customers with the knowledge and support for making purchasing decisions that conform with the NFPA 1900.

The value of working with a manufacturing leader of innovative equipment and warning lights can ensure your department specifies equipment designed to keep workers, first responders and our communities safe and secure. Visit our website to find your **regional sales representative** for the Fire Market.

KNOW THE STANDARDS

As they say, knowledge is power. Become familiar with the **newest NFPA 1900 standards** [↗](#) and download a copy of the full standard. This is a great starting point to work smarter, faster, and collaboratively in identifying the equipment required for fire and ambulance apparatus, ensuring both new and old equipment conforms to the latest NFPA safety standards. When questions arise, Federal Signal's experienced and knowledgeable sales staff

are ready to assist and provide answers to ensure purchasing specifications conform with the new NFPA 1900 standard.

FEDERAL SIGNAL NFPA CONFIGURATOR [↗](#) [>](#)

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EXHIBIT D



1520 E. Covell Blvd. Suite 5-467
Davis, CA 95616

November 6, 2025

BY EMAIL

Woodland City Council
Woodland, California
CouncilMeetings@cityofwoodland.gov

Re: Request for Investigation – Emergency Vehicle Flashing Lights and Sirens

Dear Honorable Mayor and Members of the Woodland City Council,

This letter constitutes a formal request that the City Council, exercising its supreme supervisory and legislative authority over City affairs and departments, investigate the procedural sufficiency and legality of the denial of my Americans with Disabilities Act (ADA) accommodation request, issued by the City's ADA Coordinator on October 21, 2025.

Background and Request for Accommodation

On September 20, 2025, I submitted a request for reasonable accommodation under the ADA, specifically seeking modifications to City emergency vehicle lights and sirens to ensure that the City's communications via these systems are "as effective as communications with others" (28 CFR § 35.160) as for me, an individual with autism spectrum disorder. The requested modifications included setting upper limits on the intensity and number of flashing lights, prohibiting digital on/off flashing, and reducing siren volume.

Procedural Failure and Legal Deficiency of the Denial

The City's denial, dated October 21, 2025, is procedurally and legally deficient because it fails to meet the strict burden of proof and procedural requirements mandated by 28 CFR § 35.164. The City staff asserts that the requested modifications would:

1. Fundamentally alter the nature of the service (public safety/State law preemption).
2. Result in an undue financial and administrative burden.

Under 28 CFR § 35.164, when a public entity relies on these defenses, compliance is mandatory and non-discretionary:

*"The decision that compliance would result in such alteration or burdens **must be made by the head of the public entity or his or her designee** after considering **all resources** available for use in the funding and operation of the service, program, or activity and must be accompanied by a **written statement of the reasons** for reaching that conclusion." (Emphasis added)*

The City's denial fails to meet this mandatory standard in three critical areas:

1. **Improper Decision Maker:** The denial was issued by a "Management Analyst, ADA Coordinator" (Lauryn Wiens). This individual is not the "head of the public entity" (the City Manager or Mayor/Council) nor has the denial demonstrated she is the designated representative authorized to make this high-level, dispositive finding under the regulation.
2. **Lack of Detailed Evidence:** The denial fails to provide the detailed, written statement of reasons and specific evidence required, particularly the health and safety studies, technical data, and detailed cost analysis I requested. Asserting that re-engineering would "divert an unacceptable amount of funding" is a conclusory statement, not the required analysis of "all resources available" to the City.
3. **Failure to Explore "Any Other Action":** The regulation requires, "If an action required to comply with this subpart would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the public entity." The staff's suggestion of a map is entirely ineffective accommodation that fails to ensure equal access to city streets and does not meet the "maximum extent possible" standard.

Risk of Costly Litigation

The procedural deficiencies identified above create significant legal exposure for the City of Woodland. Federal courts and the Department of Justice have a long history of scrutinizing public entities that fail to adhere to the mandatory procedural requirements of 28 CFR § 35.164. By initiating an immediate and thorough investigation into these failures, the City Council can proactively address this non-compliance, demonstrating good faith and potentially preventing a finding of deliberate indifference that could lead to costly and protracted federal litigation, as well as the imposition of substantial attorneys' fees.

Request for Investigation and Corrective Action

As the governing body, the City Council has a duty to ensure that all City departments and personnel comply with federal law. The staff's failure to adhere to the mandatory procedural requirements of 28 CFR § 35.164 constitutes a failure in the discharge of official duties.

I formally request the City Council to:

1. **Investigate the Denial:** Conduct an immediate review and investigation into why the City's ADA Coordinator failed to follow the explicit procedural mandate of 28 CFR § 35.164, specifically regarding the proper authority and documentation required to claim "Fundamental Alteration" and "Undue Burden."
2. **Vacate the Denial:** Order the October 21, 2025 denial to be vacated on procedural grounds.
3. **Mandate Compliance:** Direct the City Manager to either: a) Approve a reasonable modification that ensures effective communication and equal access to City streets and sidewalks; OR b) If the City still insists on the "undue burden" defense, reissue a denial that fully complies with 28

CFR § 35.164, including proper delegation of authority, a detailed analysis of all available resources, and supporting documentation (e.g., specific safety studies or engineering cost data).

I expect a formal response from the City Council regarding the scheduling of this investigative review within 30 calendar days.

Sincerely,

/s/ Mark Baker
Individual

/s/ Mark Baker
President
Soft Lights Foundation
mbaker@softlights.org

CC:

Lauryn Wiens, Management Analyst (Lauryn.Wiens@cityofwoodland.gov)

Enclosed:

- Request for ADA Accommodation
- Denial Letter

EXHIBIT E



300 FIRST STREET | WOODLAND, CA 95695

530-661-5850 | CITYOFWOODLAND.GOV

Mark Baker

Soft Lights Foundation

mbaker@softlights.org

December 5, 2025

Re: Follow-Up to Request for Accommodation – Americans with Disabilities Act Requests for Accommodation- Auxiliary Firetruck Flashing Lights and Sirens, and Police Vehicle Flashing Lights and Sirens

Dear Mr. Baker,

On October 24, 2025, the City of Woodland (“City”) responded to your September 20, 2025, and October 14, 2025, requests for reasonable accommodations for your disability under Title II of the Americans with Disabilities Act (“ADA”) (42 USC §§ 12131-12165). Your requests asked that the City lower the intensity of LED warning lights and volume of warning sirens, reduce the number of emergency vehicle warning lights, and prohibit flashing lights, all of which are used by City Fire Department and City Police Department vehicles when responding to emergencies. You stated that your disability of Autism Spectrum Disorder causes you to be unable to tolerate LED lights and sirens while driving.

The City sympathizes with the difficulties you are sometimes experiencing while driving, but it cannot grant your requested accommodations involving modifications to its emergency vehicles’ warning systems. As previously explained, the accommodations you have requested would fundamentally alter the City emergency vehicle systems and pose undue safety and financial burdens; therefore, the City is not obligated to provide the requested accommodations under the ADA.

On October 24, 2025, you replied to the City with three emails seeking clarification of the City’s denial of your request. On November 6, 2025, you also sent a letter to the City Council querying how the City arrived at its findings and asking the City Council to investigate the denial of your request. On behalf of the City and the City Council, this letter responds to all of your correspondence of October 24, 2025, and November 6, 2025, and it will complete the City’s response to you on the subject of emergency vehicle warning systems.

The City followed the ADA’s procedures when denying your request for reasonable accommodations.

In your November 6, 2025 letter, you state that the City has failed to abide by the ADA in its response to you, but this is not the case. First, you claim the City never offered to take any other action to address your needs based on your disability, and in compliance with the ADA Regulations. (35 C.F.R. §§ 35.160). That is not so, as the City offered to provide you with an alternative accommodation for your disability in its October 24, 2025 letter. This accommodation would consist of a map providing routes of travel within the City that would allow you to avoid

facilities where emergency vehicles are commonly found (e.g. police stations, fire stations, ambulance stations, hospitals). The City explained that following such suggested routes of travel would reduce the likelihood that you will encounter an emergency vehicle with its warning systems activated, although it would not entirely prevent such encounters because emergency vehicles must be free to travel to any part of the City with warning systems activated as public safety dictates. The City remains willing to provide you with a map of such locations and suggested routes of travel upon your request and asks that you provide your typical times/places of travel in the City.

Further, as the City previously explained, the City already takes action to reduce the disturbances to other road users caused by emergency warning systems by following Countywide guidelines for use of those systems. The Yolo Emergency Communications Agency (YECA) issued guidelines on when vehicle emergency warning systems should be used during a 911 call response, which the City follows when its Police and Fire services engage emergency responses. The YECA guidelines were designed to minimize disruptions to other road users, by limiting use of emergency warning systems based on the severity of the circumstances described in the 911 call. Even so, as the YECA guidelines reflect, it remains necessary for City emergency services to sometimes use their vehicle warning systems to ensure the fastest possible response to incidents where lives or property are at risk. In the City's view, these guidelines appropriately balance the protection of life and property with the concerns of road users such as yourself who find emergency vehicle lights and sirens disruptive. Thus, by following the YECA guidelines, the City already has adopted reasonable limits on its use of emergency vehicle warning systems that accommodate your disability to the greatest extent feasible.

Given the constraints of state law and the public safety issues involved with this issue, the City has presented you with the only feasible alternative accommodations (a map and the YECA guidelines, which it already follows). These are not, as you recognize, "equally effective" as severely curtailing or removing emergency vehicles warning systems altogether. But for the reasons explained to you, the City is not able to reduce or remove its vehicle warning systems altogether without unacceptable harms to the mission of its public safety agencies. The private steps which are available to you, such as using glare-reducing eyewear or sunglasses and hearing protection to reduce your exposure to emergency vehicle warning systems, might be equally effective as the reduction in luminosity and decibels on its emergency vehicle warning systems that you are requesting.

Second, your assertion in your November 6, 2025, letter that the City violated 28 C.F.R. § 35.164 because an improper person responded to your request and because it did not provide you with detailed reasons for its determination is also false. The City's ADA Coordinator is the City Manager's designee for ADA compliance pursuant to 28 C.F.R. § 35.107(a). That regulation provides that a public entity with more than 50 employees shall have a designated ADA Coordinator to oversee the entity's compliance with Title II of the ADA. In conformity with that regulation, the City created the position of ADA Coordinator to serve that purpose.

Lastly, you state that the City did not offer you sufficient reasons for its denial of your requested accommodation of reducing or removing emergency vehicle warning systems. That is also false, as the City's October 24, 2025, letter offered extensive detail concerning the state law and NFPA standards it follows, and other issues, when it denied your request. Hence, the City's denial of your requested accommodations and proposal of an alternative accommodation was made

with an appropriate statement of reasons by my designee for ADA-related matters, and I fully concur with that determination.

The City is not required to meet a request for reasonable accommodations which would fundamentally alter the service or pose an undue burden.

Under the Title II ADA regulations, a public entity must make reasonable modifications in services, programs, or activities to ensure they are accessible to people with disabilities, except where the modifications would require a public entity to “take any action that it can demonstrate would result in a fundamental alteration in the nature of the service, program, or activity or in undue financial and administrative burdens.” (28 C.F.R. §§ 35.150(a)(3), 35.164.) As previously stated to you, the City has made the determination that both a fundamental alteration and an undue burden would be present here, on the following grounds:

- State law does not allow the modifications that you suggest; thus, your request would fundamentally alter the City’s vehicles by rendering them noncompliant with the law.
- The City follows nationally recognized best practices; thus, your request would fundamentally alter the City’s decision to follow the best available standards for emergency vehicle systems.
- In light of the foregoing, modifying the City’s vehicle warning systems would unduly burden public safety, because state law and the NFPA standards have been designed with the needs of the overall population in mind—including the needs of people with disabilities involving vision and hearing, and drivers with noise or distractions in their car.
- The requested modifications would pose an undue financial burden given the significant cost and technical complexity of the City’s emergency vehicles.

Technical evidence regarding the use of vehicle warning systems is not required to deny your request for reasonable accommodations under the ADA.

In one of your emails of October 24, 2025,¹ you request that the City provide technical or experimental evidence in support of the standards the City follows for its emergency vehicles.

¹ “1. Evidence that reducing the intensity of the flashing lights by 5%, 10%, 50%, or 90% reduces the safety features of the flashing lights.
2. Evidence that having no established upper limit on intensity provides greater safety than having some reasonable upper limit.
3. Research which shows that using 6 flashing lights instead of 1 flashing light improves safety.
4. Evidence showing that rapidly flashing lights are more effective at communicating with the public than static lights.
5. Evidence that auxiliary vehicle flashing lights meet the federal requirements of 49 C.F.R. 571.108(S6.2.1).
6. Evidence that LED technology provides improved safety versus non-LED technology.
7. Evidence that an 80 decibel, 90dB, or 100dB siren is not as effective communicating with individuals as a 130 decibel siren.”

Among other things, you propose that the City study sirens at different decibel levels and LED warning lamps at different intensities/brightness to explain why your request cannot be accommodated. In effect, you ask the City to justify the current legal standards for emergency vehicle warning systems by gathering technical data and experimenting with the use of different warning systems on subjects with Autism Spectrum Disorder.

The City is not required under the ADA to conduct technical experiments nor justify a denial of reasonable accommodations with experimental studies, however, and doing so would also be a waste of resources given that the City must comply with state legal standards and has no discretion to implement the changes you request. While the burden indeed rests with the City to show the requested accommodation would fundamentally alter the service or unduly burden the City, the Title II ADA regulations create no requirement to gather novel technical data or experimentally test its systems on members of the public when meeting this burden.

The City has neither the resources, equipment, nor the trained personnel to conduct experimental tests into LED or siren safety and effectiveness for people with Autism Spectrum Disorder. Nor does the City have the resources to evaluate any such research that may exist, and this is not required by the ADA either. Rather, to deny a request for reasonable accommodations, the ADA regulations provide that the City must show that complying with the requested accommodations would pose an undue burden or fundamental alteration to the City's service. Typically, this is shown by addressing financial, administrative, or other difficulties in complying with the request, which the City explained in prior correspondence.

The other problem with your request for technical data is that the City complies with mandatory state-level standards which in several respects do not offer the discretion to modify emergency vehicle warning systems in the manner you request. As the City explained in its October 24, 2025, letter, state law establishes mandatory and voluntary requirements for emergency vehicle warning sirens. It is the responsibility of the state regulators to evaluate technical findings and receive public comment when emergency vehicle standards are set during the rulemaking process. Accordingly, I encourage you to share your perspective on emergency vehicles with the Department of the California Highway Patrol, which has set forth the mandatory regulations governing emergency vehicle sirens for jurisdictions across California. That Department will be in a position to answer your questions about how the current standards are set, what technical evidence supports the current regulations, whether people with disabilities such as yours contributed with their perspectives during the regulatory process, and whether new rulemaking might be opened in response to your experiences and the experiences of other people with Autism Spectrum Disorder.

The modifications to emergency warning lamps and sirens requested would fundamentally alter the City's emergency vehicles and cause undue burdens by taking City vehicles out of compliance with state law standards.

The City's emergency vehicles are ordered from the manufacturer to conform to California standards for minimum volume and minimum candela on its siren and light warning systems. With regard to sirens, the City is subject to 13 Cal. Code Regs. § 1028, which prescribes the statewide standard output for emergency sirens. This regulation sets the "minimum A-weighted sound level at 3.0 m" of 120-113 and 115-108 dB(A) for the two classes of sirens that are utilized by

emergency vehicles in California. This regulation is legally binding upon the City. By setting a minimum decibel level, this regulation means that City emergency vehicles cannot reduce their sirens below the minimum. You have asked the City to provide you with evidence that sirens of 80db, 90db or 100db would be less effective than a 130db siren, yet this would be a purely theoretical exercise, as the regulation does not permit sirens of 80-100db for either class.

Similarly, for emergency vehicle warning lamps, 13 Cal. Code Regs. § 817 prescribes minimum candela for emergency vehicle warning lamps.² which once again the City cannot lawfully deviate below as you ask it to do in requesting that the City experiment with reducing the intensity of its warning lamps by 5%, 10%, etc. City emergency vehicles are manufactured to conform to these minimum legal requirements. The City thus cannot accommodate your request to trial reduced intensities on its emergency warning lamps because doing so would break the law. Furthermore, 13 Cal. Code Regs. § 801 prescribes performance standards for flashers that City vehicles abide by. Also, with respect to warning lamps, you also ask the City to show how its vehicles conform to a federal standard (49 C.F.R. 571.108(S6.2.1)) which is inapplicable to emergency vehicles.³

Once again, the appropriate agency to contact to ask how the current regulations are justified is the Department of the California Highway Patrol, which wrote the regulations that the City follows. In light of the above, the City cannot meet your request for reduced sirens and lamps without violating state law standards, and in the City's view that would be a fundamental alteration of the currently compliant systems.

To the extent consistent with state law, the City's fire vehicles also follow the NFPA's standards, which represent industry best practices for public safety.

In addition to state law pertaining to warning lamps and sirens, and where consistent with state law, the City's Fire Department complies with the National Fire Protection Association's (NFPA) standards for firefighting vehicles. These standards are followed for fire vehicles where state law is silent or as consistent with state law where discretion is permitted. In particular, NFPA Standards 1900 and 1901 are followed, consistent with state law, for the placement, number, flash rates, and optical power of warning lamps. Following NFPA standards where state law allows the discretion to do so is the most effective way to create emergency warning systems that take the safety and needs of the total population into consideration.

The NFPA's development process for its standards involves extensive public input and public comment on draft standards, as well as rigorous research and a technical review stage and robust, decision-making processes. Information about the NFPA standard-setting process can be reviewed on the NFPA's website.⁴ You will be interested to learn that in its most recent process of revising these standards, the NFPA Standards Council carefully evaluated the safety benefits of using LED technology in an emergency response context, particularly in terms of the visibility of vehicles in daylight and the durability of LEDs, and supported the use of LEDs on emergency

² Please review this regulation in connection with your request for information about the luminance of emergency vehicle warning lamps, along with the relevant NFPA standards discussed below.

³ (S3) "This standard applies to: S3.1 Passenger cars, multipurpose passenger vehicles, trucks, buses, trailers (except pole trailers and trailer converter dollies), and motorcycles ..."

⁴ <https://www.nfpa.org/For-Professionals/Codes-and-Standards/Standards-Development>

vehicles warning systems.⁵ In light of your experiences and concerns, you may wish to become involved in the NFPA standard-setting process in future.

The City has previously informed you that its decision to follow NFPA standards for its vehicles is a reasonable policy decision that delivers the best possible level of public safety at a total population level. When emergency vehicles are engaged in an emergency response under Vehicle Code § 21055, which exempts them from following the rules of the road, the warning systems must be powerful enough to effectively communicate that fact to all road users and pedestrians. That includes people with disabilities impacting their hearing or vision, as well as drivers who may have noise or distractions within their car, such as music or a phone call. Also, given their purpose of ensuring public safety, emergency vehicles must be able to be visible during low-visibility events caused by wildfire smoke, fog, or bad weather, and the state law and NFPA standards for warning lamps and sirens are developed with such environmental operating conditions in mind. There is a distinct risk, in other words, that even if the law allowed it, your proposal that the City reduce its warning systems in the ways you propose (lowering intensity of lights, removing certain lights, lowering siren volumes, etc. in ways that depart from industry best practices) would reduce the effectiveness of its communication with the population as a whole, and in particular people with disabilities of sight and hearing.

For the foregoing reasons, the City takes the position that departing from state law and NFPA nationally-recognized best practices would fundamentally alter the City's compliance with the law and industry best practices, and would unduly burden public safety by limiting the effectiveness of its communication with other road users, including drivers with other disabilities and drivers who may have noise or distraction in their vehicles.

The City's emergency vehicles are engineered to conform to the state law and NFPA standards and each vehicle comes at a significant cost, which is the basis for the City's statement to you that the requested modifications would pose an unacceptable financial burden. For example, the Fire Department's firefighting vehicles range from \$1,000,000 to \$2,000,000 per vehicle, with repairs and maintenance also coming at a high cost. But I would reiterate here that your requested modifications of reducing LED brightness and siren volumes are not required because state law does not allow them. While it was not required to do so, we have taken the step of providing some evidence of the costs of your requested modifications in order to fully appraise you of such budgetary constraints.

In conclusion, for the reasons set forth above, the City cannot make the requested modifications to emergency vehicle warning systems that you are seeking as accommodations for your Autism Spectrum Disorder under the ADA, on the grounds of fundamental alteration and undue burden. Further, the City followed appropriate process under the ADA in denying your requests.

The City's public safety agencies are also concerned that the panic attacks you describe as occurring while driving your vehicle create a risk that you may be the cause of a traffic accident. From that standpoint, the City would encourage you to consider whether any optical or hearing devices could be helpful to you in the interests of your safety and the safety of other road users. In

⁵ Federal Signal, "New NFPA 1900 Standard and Implications for Emergency Warning Lights," 12/3/2024.

light of these public safety concerns, the City also urges you to accept the offer of a map of the City that will reduce your exposure to emergency vehicles or consider other modes of transportation. Quite apart from emergency vehicle systems, LEDs and other bright lights (i.e. private vehicle headlights, bicycle lights, billboards, private security vehicle flashers, LED traffic beacons) are unavoidable in today's streetscape. In that context, the responsibility ultimately falls to you to consider whether you can safely operate a vehicle in light of the difficulties you state you are experiencing.

This letter concludes the City's response to your emergency vehicle-related inquiries.

Sincerely,



Ken Hiatt
City Manager
City of Woodland



EXHIBIT F

Mark Baker <mbaker@softlights.org>

Follow-Up to Request for Accommodation - ADA Requests for Accommodation - Auxiliary Firetruck Flashing Lights and Sirens, and Police Vehicle Flashing Lights and Sirens

Mark Baker <mbaker@softlights.org>

Sat, Dec 6, 2025 at 2:57 PM

To: Jennifer Robinson <Jennifer.Robinson@cityofwoodland.gov>

Cc: Ken Hiatt <Ken.Hiatt@cityofwoodland.gov>, Ethan Walsh <Ethan.Walsh@bbklaw.com>

Mr. Ken Hiatt, City Manager, Woodland, California,

I am in receipt of the City of Woodland's final denial of my request for reasonable accommodation for my disability, **Autism Spectrum Disorder (ASD)**, as detailed in your December 5, 2025, letter. I write now to provide **formal and conclusive notice of my intent to file a discrimination lawsuit** against the City of Woodland.

I. The Discriminatory Barrier and Injury

The City's current emergency vehicle lighting system constitutes a severe **visual public safety barrier** that denies me equal access to and use of public streets and sidewalks, in violation of Title II of the Americans with Disabilities Act (42 U.S.C. § 12132).

This ongoing barrier was most recently demonstrated on **December 6, 2025**, when I was a pedestrian at the intersection of Main Street and West Street. When a Woodland fire truck's sirens sounded, the vehicle's **excessive, multi-strobe red LED lighting** caused me to suffer an acute, disabling reaction resulting in **eye pain and emotional trauma**.

II. Exhaustion of Remedies and Procedural Failure

I have exhausted all administrative remedies, including my initial requests (September 20, 2025) and my formal **Request for Investigation** to the City Council (November 6, 2025) regarding the procedural sufficiency of the initial denial (October 21, 2025).

The City's denial is based on the claims of "**Fundamental Alteration**" and "**Undue Burden**," yet the City has failed to meet the strict burden of proof required by **28 CFR § 35.164**. Specifically, the denial fails to provide the required detailed documentation (e.g., specific safety studies, engineering costs) to substantiate its claim, relying instead on generalized assertions, and fails to provide a reasonable accommodation.

The City's proposed map accommodation is ineffective because, as demonstrated by the incident on Main St. and West St., it does not address the core problem: the requirement for emergency vehicles to access all public streets, thereby failing to provide me with equal access.

III. Required Reasonable Modifications

The City has failed to implement reasonable modifications that ensure safe and effective communication. I submit that a reasonable modification, which would retain critical safety functions while mitigating the discriminatory visual barrier, includes:

1. **Reduce the number of active LED lights** to the minimum necessary for safety (e.g., using **one light instead of twelve**).
2. **Reduce the intensity** of the lights by approximately 90%.
3. **Utilize a static light** rather than intensely flashing or strobing lights.

IV. Notice of Lawsuit

Because the City has definitively denied the requested reasonable accommodation and has failed to substantiate its legal defenses in the administrative process, I hereby notify the City of my intent to file suit for discrimination and denial of reasonable accommodation under the Americans with Disabilities Act and California Disabled Persons Act.

12/6/25, 2:58 PM

Soft Lights Mail - Follow-Up to Request for Accommodation - ADA Requests for Accommodation - Auxiliary Firetruck Flashing Lights...

I reserve all rights to pursue litigation, including claims for injunctive relief, compensatory damages, and attorneys' fees.

Sincerely,

Mark Baker

President

Soft Lights Foundation

www.softlights.org

mbaker@softlights.org

X: [@softlights_org](#)

Bluesky: [@softlights-org.bsky.social](#)

[Quoted text hidden]

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

TO: CITY OF WOODLAND

300 First Street
Woodland, CA 95695

- 1. Claims for death, injury to person or to personal property must be filled out not later than six months after the occurrence.
2. Claims for damages to real property must be filled not later than one year after the occurrence.
3. Read the entire claim form, both sides, before filing.
4. See Page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on Page 2 at the bottom.
6. Attach separate sheets, if necessary, to give the full details. SIGN EACH SHEET.

Name of Claimant: Mark Baker
Home Address: 17809 County Road 85C
City, State, Zip: Esparto, CA 95627
Business Address:

Give address and telephone number to which you desire notices or communications be sent regarding this claim:

1520 E. Covell Blvd. Suite 5-467, Davis, CA 95616 cell: 408-455-9233

When did DAMAGE or INJURY occur?

Date: 9-18-2025 Time: Mid day

If Claim is for Equitable Indemnity, give date claimant was served:

Date:

Where did DAMAGE or INJURY occur? Describe fully, and locate on diagram on Page 2. Where appropriate, give street names and address and measurements from landmarks:

Main Street

Describe in detail how the DAMAGE or INJURY occurred.

I was driving east on Main Street when I was suddenly struck by dozens of intense, red flashing LED lights, and extraordinarily loud sirens from Woodland firetrucks. I closed my eyes as tight as possible, put both fingers in my ears, and put my foot on the brakes to stop the car. The lights and sirens incapacitated me, sent me into panic, and I feared for my life.

Name(s) of any employee(s) involved in the INJURY or DAMAGE:

Why do you claim the ENTITY is responsible?

The fire trucks use too many flashing lights, they are too intense, the flash digitally, and the sirens are too loud. The purpose of the lights and sirens is to communicate with me, but since I have a qualified ADA disability, the excessively intense lights and sirens violate 28 CFR Part 35 - Subpart E - Communications.

Describe in detail each INJURY or DAMAGE.

I suffered anxiety and panic and long term psychological trauma from the event.

CLAIM NO.

Claimant's Date of Birth: 2-9-65
Business Phone Number: cell: 408-455-9233
Occupation: Retired
Home Phone Number:

Section 111 of the Medicare Medicaid & S-CHIP Extension Act requires the entity to report certain claims to the federal government. Please indicate if the claimant is: 65 years of age or older, or is receiving Social Security Disability Insurance Benefits for 24 or more months, or has End Stage Renal Disease. If yes, you may be required to provide additional information to process your claim.

YES / (NO) (circle one)

The amount claimed, as of the date of presentation of the claim, is computed as follows:

Damages incurred to date (exact):

Damage to Property: \$ _____
Expenses medical/hospital care: \$ _____
Loss of earnings: \$ _____
Special damages: \$ _____
General damages: \$ \$0
Total Damages Incurred to date: \$ \$0

Estimated prospective damages as far as known:

Future Expenses medical/hospital care: \$ _____
Future loss of earnings: \$ _____
Other prospective special damages: \$ _____
Total estimated prospective damages \$ _____

Total amount claimed as of the date of presentation of this claim: \$ _____

Was DAMAGE and/or INJURY investigated by police? No Please give Police Report No. _____

Were paramedics or an ambulance called? _____ Name City or ambulance _____

If injured, state name and address of doctor for your first visit. Name of Doctor: _____

Address: _____

WITNESSES TO DAMAGE OR INJURY: List all persons known to have information.

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

DOCTORS AND HOSPITALS:

Hospital: _____ Address: _____ Date: _____

Doctor: _____ Address: _____ Date: _____

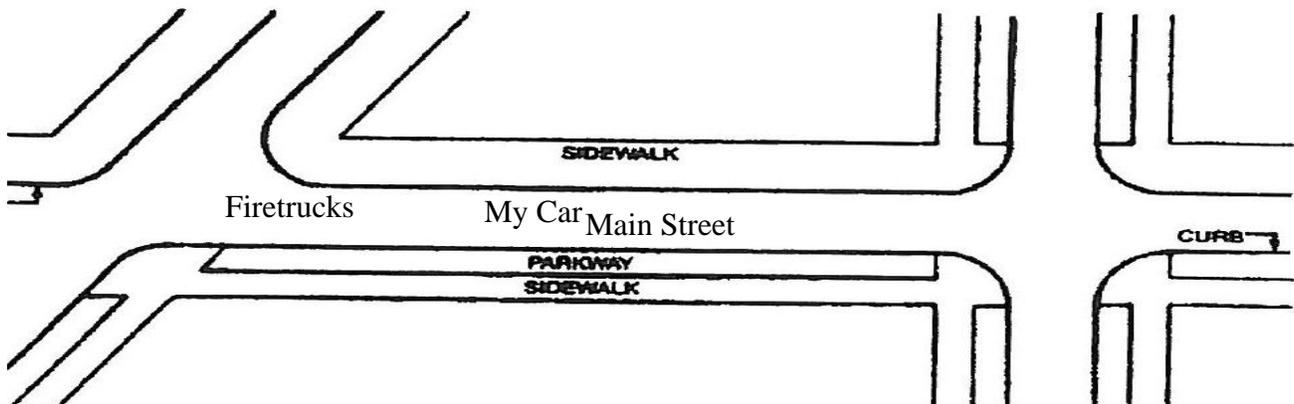
Doctor: _____ Address: _____ Date: _____

READ CAREFULLY

For all accident claims place on following diagram names of streets including North, East, South and West.

Indicate place of accident by "X" and by showing house numbers or distances to street corners.

NOTE: If the diagrams below do not fit the situation, attach hereto a proper diagram signed by the claimant.



Signature of Claimant or person filing on his/her behalf, giving relationship to Claimant

Print Name

Date

Mark Baker

Mark Baker

9-20-2025

NOTE: CLAIMS MUST BE FILED WITH THE CLERK OR GOVERNING BOARD (GOV CODE SEC 915a)

PRESENTATION OF A FALSE CLAIM IS A FELONY (PENAL CODE SECTION 72)

CLAIM DEADLINES

FILING OF A CLAIM

Before a complaint for damages against a public entity or employee can be filed in court, a claim must first be filed with the entity in accordance with the Tort Claims Act, and rejected. (945.4). The claim has to be filed within six months of accrual of the cause of action. (911.2.) for purposes of the Tort Claim Act, the date of accrual is the same date on which the cause of action would accrue if there were no claims requirements (901.)

NOTICE OF INSUFFICIENCY

The public entity may give notice of the insufficiency of the claim within 20 days. Thereafter it may not act on the claim for 15 days. (910.8.)

REJECTION OF A TIMELY CLAIM

The public entity must approve or reject a timely claim within 45 days and provide written notice to the claimant. (912.4, 912.6, 913.) If a timely claim is rejected in whole or in part, the claimant may file suit for money or damages within six months after the date notice is personally delivered or deposited in the mail. (945.4; 945.6, subd. (a)(1) If the rejection is not properly noticed in accordance with section 913 however, the action may be filed in court within two years from the accrual of the cause of action. (945.6, subd. (a)(2)

REJECTION OF AN UNTIMELY CLAIM

If the entity determines that the claim was filed late, it must return the claim within 45 days from the date it was filed, along with a notice that the claimant may apply for leave to present a late claim. (911.3, 911.4)

APPLICATION FOR LEAVE TO FILE LATE CLAIM

If the claim is filed beyond the 6 months, the claimant may apply to the public entity, within a reasonable time not to exceed one year after accrual, for leave to present a late claim. (911.4.) In responding to an application for leave to present a late claim, the entity must grant or deny leave within 45 days and provide notice. (911.6, 911.8.) If the entity takes no action, the application is deemed denied on the 45th day. (911.6 (c) .)

PETITION FOR RELIEF FROM CLAIMS ACT REQUIREMENTS

If an application for leave to file a late claim is rejected by the public entity, the claimant must first obtain a court order for relief from the requirements of the Claim Act before filing a suit. (946.6.) A petition for such an order must be filed with the court within six months after the application is denied or deemed denied. (946.6, subd. (b); 911.6.) If relief is granted, a suit must be filed within 30 days of the order granting relief. (946.6 (f).)

(All references are to the California Government)